

By Legislators Hughes-Smith and Maffucci

PURE WATERS ADMINISTRATIVE BOARDS OF  
GATES-CHILI-OGDEN SEWER DISTRICT;  
IRONDEQUOIT BAY SOUTH CENTRAL PURE WATERS DISTRICT;  
NORTHWEST QUADRANT PURE WATERS DISTRICT; AND  
ROCHESTER PURE WATERS DISTRICT

Intro. Nos. G1; I1; N1; R1

RESOLUTION NOS. 24G-001; 24I-001; 24N-001; 24R-001 OF 2024

**AUTHORIZING CONTRACTS WITH MRB GROUP ENGINEERING, ARCHITECTURE &  
SURVEYING, D.P.C. AND RAMBOLL AMERICAS ENGINEERING SOLUTIONS, INC. FOR  
PUMP STATION GENERAL ARCHITECTURAL AND ENGINEERING TERM SERVICES**

BE IT RESOLVED BY THE PURE WATERS ADMINISTRATIVE BOARDS OF THE GATES-  
CHILI-OGDEN SEWER DISTRICT; IRONDEQUOIT BAY SOUTH CENTRAL PURE WATERS  
DISTRICT; NORTHWEST QUADRANT PURE WATERS DISTRICT; AND ROCHESTER PURE  
WATERS DISTRICT, as follows:

Section 1. The County Executive, or his designee, is hereby authorized to execute contracts, and any amendments thereto, with MRB Group Engineering, Architecture & Surveying, D.P.C. and Ramboll Americas Engineering Solutions, Inc. for pump station general architectural and engineering term services for a total annual aggregate amount not to exceed \$500,000 for the period of January 1, 2024 through December 31, 2024, with the option to renew for two (2) additional one-year extensions, with escalations for the extensions to be limited to an amount equal to the increase in the previous year's Consumer Price Index (U.S. City Average CPI-U from the Bureau of Labor Statistics).

Section 2. Funding for these contracts, consistent with authorized uses, is included in various capital funds and in the 2024 operating budget of the Department of Environmental Services, pure waters fund 9007, funds center 8575010000, Rochester Pure Waters District Special Expenses; pure waters fund 9007, funds center 8574010000, Irondequoit Bay South Central Pure Waters District Special Expenses; pure waters fund 9007, funds center 8573010000, Northwest Quadrant Pure Waters District Special Expenses; and pure waters fund 9007, funds center 8571010000, Gates-Chili-Ogden Sewer District Special Expenses, and will be requested in future years' budgets.

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

File No. 24-0009

ADOPTION: Date: February 13, 2024

Vote: 27-0

By Legislators Blankley, Hughes-Smith, and Maffucci

PURE WATERS ADMINISTRATIVE BOARDS OF THE  
GATES-CHILI-OGDEN SEWER DISTRICT;  
IRONDEQUOIT BAY SOUTH CENTRAL PURE WATERS DISTRICT;  
NORTHWEST QUADRANT PURE WATERS DISTRICT; AND  
ROCHESTER PURE WATERS DISTRICT

Intro. Nos. G2; I2; N2; R2

RESOLUTION NOS. 24G-002; 24I-002; 24N-002; 24R-002 OF 2024

**AUTHORIZING INTERMUNICIPAL AGREEMENT WITH MONROE 2-ORLEANS BOARD  
OF COOPERATIVE EDUCATIONAL SERVICES TO PROVIDE ANNUAL TECHNICAL  
SKILLS TRAINING PROGRAM**

BE IT RESOLVED BY THE PURE WATERS ADMINISTRATIVE BOARDS OF THE  
GATES-CHILI-OGDEN SEWER DISTRICT; IRONDEQUOIT BAY SOUTH CENTRAL PURE  
WATERS DISTRICT; NORTHWEST QUADRANT PURE WATERS DISTRICT; AND ROCHESTER  
PURE WATERS DISTRICT, as follows:

Section 1. The County Executive, or his designee, is hereby authorized to execute an intermunicipal agreement, and any amendments thereto, with Monroe 2-Orleans Board of Cooperative Educational Services in an annual amount not to exceed \$75,000 to provide an annual technical skills training program to the Monroe County Department of Environmental Services for the period of January 1, 2024 through December 31, 2024, with the option to renew for four (4) additional one-year extensions in an annual amount not to exceed \$75,000.

Section 2. Funding for this agreement is included in the 2024 operating budget of the Department of Environmental Services, pure waters fund 9007, funds center 8572010000, Pure Waters Administration and internal services fund 9020, funds center 8670010000, Maintenance and Construction, and will be requested in future years' budgets.

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

File No. 24-0011

ADOPTION: Date: February 13, 2024

Vote: 27-0



By Legislators Barnhart and Hughes-Smith

Intro. No. 22

**ENACTING A LOCAL LAW AMENDING LOCAL LAW NO. 7 of 2020 ENTITLED "ENACTING A LOCAL LAW AUTHORIZING A LEASE BY NEGOTIATION WITH FEDERAL EXPRESS CORPORATION FOR REAL PROPERTY AT THE GREATER ROCHESTER INTERNATIONAL AIRPORT"**

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

Section 1. Section 1 of Local Law No. 7 of 2020 is hereby amended as follows:

The County Executive, or his designee, is hereby authorized to execute a lease agreement on behalf of the Monroe County Airport Authority, and any amendments thereto, with the Federal Express Corporation, or any subsidiary or successor, in the amount of \$130,441.28 per year for a period ten (10) years commencing on or about December 1, 2020, with the option to renew the lease agreement for two (2) additional five (5) year terms and an option to amend the lease to expand the leased premises by an additional 123,220 sq. ft. of unimproved real property with an adjusted additional rent for the additional leased premises, and to amend the name of the airport in the lease and any amendments thereto to the Frederick Douglass Greater Rochester International Airport.

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

File No. 24-0005.LL

Added language is underlined

Deleted language is ~~stricken~~

By Legislators Barnhart and Hughes-Smith

Intro. No. 23

MOTION NO. 12 OF 2024

**PROVIDING THAT LOCAL LAW (INTRO. NO. 22 OF 2024), ENTITLED "AMENDING LOCAL LAW NO. 7 of 2020 ENTITLED 'ENACTING A LOCAL LAW AUTHORIZING A LEASE BY NEGOTIATION WITH FEDERAL EXPRESS CORPORATION FOR REAL PROPERTY AT THE GREATER ROCHESTER INTERNATIONAL AIRPORT'", BE TABLED**

BE IT MOVED, that Local Law (Intro. No. 22 of 2024), entitled "AMENDING LOCAL LAW NO. 7 of 2020 ENTITLED 'ENACTING A LOCAL LAW AUTHORIZING A LEASE BY NEGOTIATION WITH FEDERAL EXPRESS CORPORATION FOR REAL PROPERTY AT THE GREATER ROCHESTER INTERNATIONAL AIRPORT'" be tabled.

File No. 24-0005.LL

ADOPTION: Date: February 13, 2024

Vote: 27-0

By Legislators Barnhart and Hughes-Smith

Intro. No. 24

RESOLUTION NO. 3 OF 2024

**FIXING A PUBLIC HEARING ON LOCAL LAW (INTRO. NO. 22 OF 2024), ENTITLED “AMENDING LOCAL LAW NO. 7 OF 2020 ENTITLED ‘ENACTING A LOCAL LAW AUTHORIZING A LEASE BY NEGOTIATION WITH FEDERAL EXPRESS CORPORATION FOR REAL PROPERTY AT THE GREATER ROCHESTER INTERNATIONAL AIRPORT’”**

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 12<sup>th</sup> day of March, 2024, in the Legislative Chambers in the County Office Building, Rochester, New York on Local Law (Intro. No. 22 of 2024), entitled “AMENDING LOCAL LAW 7 OF 2020, ENTITLED ‘ENACTING A LOCAL LAW AUTHORIZING A LEASE BY NEGOTIATION WITH FEDERAL EXPRESS CORPORATION FOR REAL PROPERTY AT THE GREATER ROCHESTER INTERNATIONAL AIRPORT’”

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 the official newspapers of general circulation within the County at least five days before said hearing.

Section 3. This resolution shall take effect immediately.

File No. 24-0005.LL

ADOPTION: Date: February 13, 2024

Vote: 27-0

**ENACTING A LOCAL LAW ENTITLED “AMENDING THE AIRLINE-AIRPORT USE AND LEASE AGREEMENTS WITH AMERICAN AIRLINES, INC., DELTA AIR LINES, INC., FEDERAL EXPRESS CORPORATION, JETBLUE AIRWAYS CORPORATION, SOUTHWEST AIRLINES CO., AND UNITED AIRLINES, INC. FOR SPACE AT THE FREDERICK DOUGLASS-GREATER ROCHESTER INTERNATIONAL AIRPORT”**

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

Section 1. The County Executive, or his designee, is hereby authorized to execute amendments to the Airline-Airport Use and Lease Agreements, and any amendments thereto, on behalf of the Monroe County Airport Authority, and any amendments thereto, with American Airlines, Inc., Delta Air Lines, Inc., Federal Express Corporation, JetBlue Airways Corporation, Southwest Airlines Co., and United Airlines, Inc., or any subsidiary or successor, for space at the Frederick Douglass-Greater Rochester International Airport, with the following amended terms and conditions to the existing Airline-Airport Use and Lease Agreements (the “Agreements”) between the parties for the period from January 1, 2019 through December 31, 2023:

a. Update the name of the airport to the Frederick Douglass-Greater Rochester International Airport throughout the Agreements.

b. Extend the Term to December 31, 2028, and replace December 31, 2023 with December 31, 2028 throughout the Agreements.

c. Amend the definition “Net Airfield Requirement,” replace the reference to “Exhibit ‘G.’” with “Exhibit ‘G-4.’” in Article I.

d. Amend the definition “Net Terminal Requirement,” replace the reference to “Exhibit ‘G.’” with “Exhibit ‘G-5.’” in Article I.

e. Amend Article VIII by (i.) Deleting the phrase, “Non-Signatory Airline” Section 8.02.B.2; (ii.) Replace Section 8.06 with updated Revenue Sharing agreed to by the parties; (iii.) Replace Section 8.09 with updated Non-Signatory Airline Landing Fees and Terminal Fees agreed to by the parties; (iv.) Replace Exhibits “E” and “G” with new Exhibit “E” and “G” as required by the replacements.

f. Replace Article XIX with current Federal Aviation Administration update government inclusion language regarding (i.) Government Agreements; (ii.) Emergency Clause; (iii.) Human Rights Law; (iv.) General Civil Rights Provisions; (v.) Compliance with Nondiscrimination Requirements; (vi.) Title VI Clauses for Transfer of Real Property Acquired or Improved Under the Activity, Facility, or Program; (vii.) Title VI Clauses for Construction/Use/Access to Real Property Acquired Under the Activity, Facility or Program; (viii.) Title VI List of Pertinent Nondiscrimination Acts and Authorities; (ix.) Additional Federal Grant Agreement Covenants; (x.) Americans with Disabilities Act and Air Carrier Access Act; and (xi.) Security.

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

By Legislators Barnhart and Hughes-Smith

Intro. No. 26

MOTION NO. 13 OF 2024

**PROVIDING THAT LOCAL LAW (INTRO. NO. 25 OF 2024), ENTITLED “AMENDING THE AIRLINE-AIRPORT USE AND LEASE AGREEMENTS WITH AMERICAN AIRLINES, INC., DELTA AIR LINES, INC., FEDERAL EXPRESS CORPORATION, JETBLUE AIRWAYS CORPORATION, SOUTHWEST AIRLINES CO., AND UNITED AIRLINES, INC. FOR SPACE AT THE FREDERICK DOUGLASS-GREATER ROCHESTER INTERNATIONAL AIRPORT” BE TABLED**

BE IT MOVED, that Local Law (Intro. No. 25 of 2024), entitled “AMENDING THE AIRLINE-AIRPORT USE AND LEASE AGREEMENTS WITH AMERICAN AIRLINES, INC., DELTA AIR LINES, INC., FEDERAL EXPRESS CORPORATION, JETBLUE AIRWAYS CORPORATION, SOUTHWEST AIRLINES CO., AND UNITED AIRLINES, INC. FOR SPACE AT THE FREDERICK DOUGLASS-GREATER ROCHESTER INTERNATIONAL AIRPORT,” be tabled.

File No. 24-0034.LL

ADOPTION: Date: February 13, 2024

Vote: 27-0

By Legislators Barnhart and Hughes-Smith

Intro. No. 27

RESOLUTION NO. 4 OF 2024

**FIXING A PUBLIC HEARING ON LOCAL LAW (INTRO. NO. 25 OF 2024), ENTITLED "AMENDING THE AIRLINE-AIRPORT USE AND LEASE AGREEMENTS WITH AMERICAN AIRLINES, INC., DELTA AIR LINES, INC., FEDERAL EXPRESS CORPORATION, JETBLUE AIRWAYS CORPORATION, SOUTHWEST AIRLINES CO., AND UNITED AIRLINES, INC. FOR SPACE AT THE FREDERICK DOUGLASS-GREATER ROCHESTER INTERNATIONAL AIRPORT"**

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

Section 1. That there will be a public hearing at 6:16 p.m. on the 12<sup>th</sup> day of March, 2024, in the Legislative Chambers in the County Office Building, Rochester, New York on Local Law (Intro. No. 25 of 2024), entitled "AMENDING THE AIRLINE-AIRPORT USE AND LEASE AGREEMENTS WITH AMERICAN AIRLINES, INC., DELTA AIR LINES, INC., FEDERAL EXPRESS CORPORATION, JETBLUE AIRWAYS CORPORATION, SOUTHWEST AIRLINES CO., AND UNITED AIRLINES, INC. FOR SPACE AT THE FREDERICK DOUGLASS-GREATER ROCHESTER INTERNATIONAL AIRPORT".

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 the official newspapers of general circulation within the County at least five days before said hearing.

Section 3. This resolution shall take effect immediately.

File No. 24-0034.LL

ADOPTION: Date: February 13, 2024

Vote: 27-0

By Legislators Long and Maffucci

Intro. No. 28

RESOLUTION NO. 5 OF 2024

**REAPPOINTMENT OF JULIE A. CIANCA AS PUBLIC DEFENDER**

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

Section 1. In accordance with the provisions of Section C7-5 of the Monroe County Charter, Julie A. Cianca is hereby reappointed as Public Defender, for a two-year term, effective January 1, 2024 and expiring December 31, 2025.

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

Public Safety Committee; January 23, 2024 – CV: 11-0  
File No. 24-0004

ADOPTION: Date: February 13, 2024

Vote: 22-5

*(Legislators Brew, Colby, Keller, McCabe and Morris Voted in the Negative.)*

*(Legislator Baynes Declared His Interest Prior to the Vote.)*



# OFFICE OF THE PUBLIC DEFENDER

## ANNUAL REPORT

2022



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## INTRODUCTION

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This report serves as an overview of the work done by the Monroe County Public Defender's Office ("the Office") office during 2022. The report is divided into five sections:

1. Recruitment, retention, and diversification of staff.
2. Continued improvement of the quality of the legal representation provided to our clients.
3. Staff training and continuing legal education.
4. Staffing and caseloads.
5. Plans for the future.

### Creation of Office and its Jurisdiction

As described in the 2020 Annual Report authored by former Public Defender Timothy Donaher, the following is a brief history of the history and structure of the Office of the Monroe County Public Defender:

"In a 1963 landmark decision, the Supreme Court of the United States ruled that all indigent defendants had the right to be represented by counsel in criminal proceedings. In order to comply with the Supreme Court ruling, Article 18-B of the County Law of the State of New York was adopted by the State Legislature in 1965. This law required the various counties throughout the State to adopt a plan for the representation of indigent defendants. In compliance with the state mandate, on May 23, 1968, by virtue of Resolution No. 250 of 1968, the Monroe County Legislature adopted Local Law No. 5 of 1968, thus creating the Office of the Monroe County Public Defender.

By law, the Public Defender is required to 'represent, without charge, at the request of the defendant, or by order of the court with the consent of the defendant, each indigent defendant who is charged with a crime...in the county...in which such public defender serves.'

The Monroe County Public Defender's Office represents individuals in the courts within Monroe County, including the City of Rochester and the towns and villages within the geographical boundaries of the County. This area has a population of approximately 760,000 people.

The Office handles cases in:

- A. Town and Village Justice Courts
- B. Rochester City Court (including Rochester Drug Treatment Court)
- C. County Court (including Mental Health Court, Veterans Court, and Judicial Diversion Program Court)
- D. Supreme Court
- E. Family Court
- F. Appellate Division, Fourth Department
- G. Court of Appeals
- H. United States Supreme Court (when required)

The Public Defender represents the indigent accused at every stage of the criminal proceeding from the arraignment through final disposition, including, when appropriate, appeals from adverse judgments and decisions.

Our goal is to provide to the indigent who are accused of a crime, or who are entitled to representation in family court, an exceptional level of legal representation which exceeds that which they would expect to obtain from privately retained counsel. An individual's constitutional

rights must be protected regardless of his or her financial circumstances.

Assistant public defenders are assigned to work in the Local Court, Superior Court, Family Court, or the Appeals Sections and each takes great pride in the quality of the work they provide to our clients. Their dedication and talent ensures that the rights of our clients are protected, and their dignity respected, in a way that promotes true justice in our community.

### **A challenging 2022**

2022 was an unusual and challenging year in the history of the Office. Having declined to seek reappointment at the end of 2021, Tim Donaher left the position after leading the office since 2008. Jill Paperno then briefly served as the Acting Public Defender before Erik Teifke assumed that position for the bulk of 2022. Then, after a protracted selection process, Julie Cianca was sworn in as Public Defender at the end of the year.

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## **PART 1: RECRUITMENT, RETENTION, AND DIVERSIFICATION OF STAFF**

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The Office continues to value a diverse, equitable, and inclusive work environment. We believe that diversity of all varieties: racial, gender, ability, sexual orientation, age, etc. improves staff experiences and that a staff that feels comfortable and valued is more likely to contribute to positive case outcomes for our clients. We therefore strive to maintain an engaged and dedicated staff by continuing to develop an office culture that is ever mindful of the challenges presented by our work, and seeks to provide deliberate, thoughtful and intentional support to all who serve our common cause.

### **RECRUITMENT**

We recognize the value of recruiting and retaining staff, especially staff that increase the

diversity of the office. To these ends, we have more aggressively and proactively pursued candidates for staff positions than in prior years.

### **Hiring committee**

While we have had a hiring committee for many years, we have recently increased their membership and resources because we are forced to compete with other employers across the country who have at long last recognized the value of a diverse workplace. While this realization is gratifying, it does provide for a very competitive environment and one where our office is forced to compete despite limited resources. We are simply not in a position to outbid most other employers and therefore have had to use creativity, diligence, and passion as we seek out qualified candidates.

The Hiring Committee consists of Acting Second Assistant Public Defender Joshua Stubbe and Assistant Public Defenders Victoria Bahl, Krystian Opalinski, Jane Yoon, and Tracy Sullivan, as well as Chief Investigator Latanya Morse. The following are some of the efforts we have undertaken by our hiring committee in pursuit of staff, especially staff that offer diversity.

- New York University School of Law - Public Interest Job Fair 2022, 2023 (registered)
  - Virtual appearance (only method offered)
  - 2022 job fair program produced 12 interviews with 4 people accepting positions in our September 2022 class of law grads.
- Cornell Law School
  - Work with OADI (Office of Academic Diversity Initiatives)
    - Spoke in 2021 with OADI Students about PD work at MCPD
    - Spoke/lectured in 2022 with OADI students about accusatory instruments and challenges to them, as well as the discovery reforms.
    - Working with OADI to have their students in the Cornell Pro-Bono Scholars Program work at our office during their Spring 2024 semester.
- University of Buffalo School of Law - Public Defender Career Fair
  - Virtual appearance (only method offered)

- Produced 4 applicants who interviewed, 1 accepted for September 2023.
- University of Buffalo School of Law - Career Fair
  - Registered for 2023, in person
- University of Buffalo School of Law On - Campus Interviews
  - Registered for 2023 date, in person
- Albany Law School - Career Fair
  - Registered for February 2023 as virtual option, but are hoping to change to in-person depending on dates/availability
- Albany Law School - On Campus Interviews
  - Registered for 2023, dates not yet confirmed
- Syracuse University College of Law - On Campus Interviews
  - Registered for in-person dates.
- Job Postings with:
  - Greater Rochester Association for Women Attorneys [GRAWA]
  - Western New York Minority Bar Association
  - Women's Bar Association of the State of New York
  - Chief Defender's Association of New York [CDANY]
  - New York State Association of Criminal Defense Lawyers [NYSACDL]
  - New York State Defender's Association
  - Shift Diff (local, black owned, job board)
- Coordination with several other downstate law schools to attend their On-Campus Interview Sessions or participate in job fairs at their schools.

### **Internship program**

Led by Assistant Public Defenders Victoria Bahl and William Weir, the Office has an increasingly robust internship program that offers high school, college, and law school students exposure to not only our office, but the field of indigent criminal defense as well as the criminal justice system. Interns can become involved in a wide array of assignments depending upon their education and experience levels. We strive to make their experience revealing and rewarding by exposing them to many aspects of our work including: client interviews, court appearances, trial preparation, discovery review, jail visits with incarcerated clients, case investigations, and more. Interns accompanied attorneys as they have tried cases to juries, spending many hours both in and out of court serving our clients during these most critical junctures.

Our internship program statistics for 2022 are as follows:

Total interns: 29

Gender: 16 female, 13 male, 1 non-binary

Law School students: 12

Race: 4 identified as Black, Asian, or Hispanic.

Undergraduate students: 17

It is our hope that by exposing interns to these experiences and inspiring them with the importance of our work, that this program will continue to serve as a pipeline that produces attorney candidates in the future. In just this past year, this program had produced two additions to our attorney staff and one addition to our support staff and we anticipate more to come. Several undergraduate interns have applied to law schools, presumably inspired by their experience with the Office. The intern experiences the Office now offers have prompted the following testimonials from participants:

- “You made me passionate about public defense, and I’m looking forward to a future career as a public defender.”
- “Thank you for taking me under your wing. I learned so much and know being a public defender is for me.”
- “I saw a version of myself that was fearless and confident in a courtroom. Talking with you and watching you in the courtroom, among so many other things, was a huge part in my decision to go to law school after graduation. You have truly inspired me and I could never thank you enough.”
- “Because of this experience, the office, and especially you, I feel I have finally found what I’m meant to do and have direction in my life.”

The expectation is that this program and the investment we make in our student-interns will serve as a pipeline for staff recruitment going forward and serve as a vital supplement to our other recruitment efforts.

#### **Unadmitted attorney positions**

The need to increase staff prompted the Office to become more flexible and creative in our hiring practices in 2022. In the past, the Office would only hire offer attorney positions to

those who had passed the bar examination and been admitted to the bar. In 2022, for the first time, the Office hired several law school graduates in September who had taken the bar examination in July but not yet received their results. While only permitted to represent clients on certain offenses and under immediate supervision, this “class” of unadmitted attorneys was exposed to the work gradually over several months as they: attended attorney trainers, observed court appearances, attended client and witness interviews, performed legal research, accompanied attorneys during jail visits, hearings, and trial. Historically, new attorneys would start representing clients immediately and then receive training while doing so, this new arrangement also allows the Office to train them for several months before they are admitted and assume responsibility for their own caseload. This has proven to be a tremendous benefit to our unadmitted attorneys whose introduction to the work has been very gradual unlike that of their predecessors.

This program also allows the Office to better compete with other employers that will not extend employment offers until an attorney is admitted to the bar. The Office expects to accept a class of unadmitted attorneys each September and is already building the 2023 class.

#### **RETENTION**

Given the staff retention challenges facing all employers both within and without the legal profession, the Office has increasingly focused on not only attracting but also retaining our staff. We recognize that staff turnover is inevitable, especially in an office as large as ours, and that there are forces at work we cannot control: improved career mobility, shifting perspectives on the work-life balance, changing economic conditions, etc. We are however, mindful that it is very much in the interest of our staff, and by extension, our clients, that we retain employees that we

have invested in. Especially given our increasingly robust training efforts, the loss of a staff member early in their tenure could be viewed as a net loss of resources as we may never have experienced a return on that intense and time-consuming early investment. And while nearly every new staff member lacks experience at first, they become increasingly valuable to the office and their clients as they gain experience. We therefore have placed significant emphasis on improving the experiences of our staff and maintaining office morale given the relationship between these factors and staff retention.

Among the measures undertaken in 2022 to address retention are the following:

- **A supervisory restructure of the Criminal Trial Courts section.** This largest section in the Office had previously been divided into sections based exclusively upon the varieties of cases to which an attorney was assigned: Town Court, City Court, Non-Violent Felonies [NVFOs], Violent Felonies [VFOs]. This resulted in attorneys interacting almost exclusively with their immediate peers instead of those with different experience levels. It also resulted in attorneys occasionally being unable to handle different and more serious cases as they waited for someone more experienced to leave the office so they could advance into a “higher” section. This would result in career stagnation and contributed to some attorneys exploring other career options. Attorneys handling felony cases are now assigned to one of four Superior Court Groups [A – D] comprised of attorneys handling either non-violent felony cases [NVFOs], violent felony cases [VFOs], or a mix of NVFOs and VFOs [Hybrid]. Attorneys handling non-felony [misdemeanor and violation] cases are assigned to one of four Local Court Practice Groups [A – D].

Each Group is supervised by either the Second Assistant or a Special Assistant. Each Group



Supervisor is responsible to both the First Assistant and the Public Defender.

- **Hybrid caseloads.** To keep attorneys engaged, accelerate their development, and keep them from becoming overwhelmed, we now offer caseloads with a mix of different level offenses. These “Hybrid” positions not only offer Superior Court attorneys a more gradual transition from NVFO to VFO cases but also allow them to handle VFO cases earlier in their careers. Likewise, our Local Court attorneys are offered the opportunity to handle felony cases earlier in their careers than in the past. These attorneys are provided with significant oversight of their supervisors on their felony cases. This potential for early exposure to felony cases has been an asset to the both our recruitment and retention efforts.
- **Career start in Rochester City Court.** Attorneys new to the office now begin their careers representing clients in Rochester City Court [RCC] instead of the town courts. This shift offers several advantages: early exposure to a more diverse client population, earlier familiarity with a wider range of offenses, increased opportunities to litigate search and seizure issues, exposure to more experienced prosecutors and judges that are all attorneys, etc. Another advantage to this arrangement is the proximity of the office to Rochester City Court in that the supervisor of our RCC attorneys is a mere block away and can far more easily observe, supervise, and respond to any urgent matters.
- **Enhanced supervision and support.** The supervisor to supervisee ratio has been increased, providing attorneys with more support and oversight. The Groups meet regularly and discuss cases, legal issues, and other developments. Supervisors are expected to review attorney written work product and observe them in court. Supervisors

are evaluated on how well they supervise their Groups.

- **Work From Home [WFH] policy.** Implemented in 2022, this policy was a significant departure from the past where staff was expected to perform work hours either in the office or the field [court, jail, off-site meetings, investigations, etc.]. The policy allows for each employee, attorney and support staff, to work from home for 16 hours per pay period. This policy has ameliorated the stress of staff with various conflicting responsibilities including child care and has noticeably enhanced morale.
- **Second Chair program.** Jury trials have decreased markedly and steadily across the country for decades and Monroe county is no exception. While the vast majority of cases are resolved with dismissals or negotiated agreements, the right to a jury trial is a powerful protection, so it is critical our attorneys are ready, willing and able to try a case with skill, passion and confidence. To do our part to ensure our entire staff remains well-equipped to represent our clients at jury trials, we continue to seek feedback and encourage communication to expand our training and supervision programs. We have also instituted a program where we pair attorneys for as many jury trials as possible. This has the dual benefit of exposing more attorneys to jury trials and of providing many of our clients with a team of attorneys for their trial. We also frequently devote support staff to trials for these same reasons.
- **Continuing and Continuing Legal Education.** Having earned status as an accredited Continuing Legal Education [CLE] provider several years ago, the Office continues to offer our staff regular, no-cost CLE opportunities. We not only create and deliver these programs but we also generate the certificates of completion for those that attend. This

makes our office more attractive to both prospective and current staff and contributes to our retention efforts. Office training and CLE efforts will be discussed more fully below.

- **Office Committees.** As office morale is vital to staff retention, we have several committees designed to foster inclusiveness and comradery. These include but are not limited to our Welcoming, Community Outreach, and Recreation Committees and are designed to build and maintain staff morale by enhancing the workplace experiences of the staff and the inclusivity of our work environment.

### **DIVERSIFICATION**

While the Office is mindful of the value of many varieties of diversity and features a staff that is majority female, a special emphasis has been placed on increasing racial diversity in the Office. The Office serves the residents of Monroe County, the population of which is approximately 15% Black or African American.<sup>1</sup> By the end of 2022 the Office achieved the highest level of racial diversity in its history.

<u>Attorney staff</u>	<u>Overall staff</u>	<u>Management</u>
8% Black	13 % Black	13% Black
12% Persons of Color	22% Persons of Color	57% Women

Achieving an attorney staff that is 8% Black is especially gratifying given that only 5% of all attorneys in the United States are Black. The Office is therefore currently more racially diverse than the attorney population of the Country as a whole. This is especially noteworthy given the encouraging trend of increasing competition among employers for Black attorneys at present.

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<sup>1</sup> [https://www.newyork-demographics.com/monroe-county\\_demographics](https://www.newyork-demographics.com/monroe-county_demographics)

### **DEI Working Group**

While proud of our efforts thus far, the Office continues to build upon our 2022 progress in diversification of our staff. To that end, and in addition to the Office's efforts to recruitment and retention efforts, a working group was established in 2022 to create the first titled Diversity, Equity, and Inclusion Officer position in the history of the Office. This working group consists of Project Manager Mike Molinari, Chief Investigator Latanya Morse, Special Assistant Robert Turner, and then Acting Public Defender and First Assistant Erik Teifke.

While in the past an assistant public defender was tasked with the Office's DEI efforts, there had never been a person in an official, titled role until the working group secured approval from the Monroe County Civil Service Commission to create the position of Public Defender DEI Coordinator in 2022. The Office is now one of only two county departments with such a staff position, demonstrating our commitment to fostering a diverse, equitable, and inclusive work place.

The Office is thankful for the guidance of former Monroe County Chief Diversity Officer Dr. Deanna Kimbrel and Equal Employment Opportunity Manager Cheryl Hayward during this process. The position of Public Defender Diversity Coordinator was listed in December of 2022 and we anticipate filling the position early in 2023.

### **Diversity Action Plan (DAP)**

The DEI Working Group is currently developing a Diversity Action Plan in consultation with Equal Employment Opportunity Manager Cheryl Hayward.

### **Management DEI training**

In addition, the Office in 2022 offered management staff the opportunity to earn a

certification in Diversity, Equity, and Inclusion through a program offered by Cornell University. As a result of this initiative, 25% of the management staff has now earned this valuable DEI credential. Involvement in educational opportunities is one way management shows a commitment to a culture of sensitivity to the experiences of all members of the staff and is dedicated to the pursuit and enhancement of diversity, equity and inclusiveness of our work environment. It is the hope that the management interest in personal growth will encourage and inspire all staff and consequently, create a more attractive and welcoming office for all our prospective and current colleagues.

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## **PART 2: CONTINUED IMPROVEMENT OF CLIENT SERVICES**

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### **HOLISTIC REPRESENTATION**

In 2022, the Office further embraced a holistic model of representation which recognizes that our clients are best served by our applying a multidisciplinary approach to their defense. Our clients come to us having amassed various experiences and facing an array of challenges. While ensuring they are assigned a lawyer with excellent legal skills is vital, we endeavor to address our clients circumstances in the most comprehensive manner possible given our resources. In the past, our attorneys would bring their legal skills to bear and frequently secure favorable legal results for clients only for them to emerge from their experience with the criminal justice system no better off than before their arrest. It was an unfortunate feature of this work that we could not address the circumstances of our clients in a more comprehensive and lasting way. Attorneys would have successes only to see the same client arrested and prosecuted once again weeks later. It was dispiriting for our staff and devastating to our clients. But given our

mandate and our limited resources, we simply were not able to do much more than provide legal services within the context of an individual case.

Recently however, with the additional resources and support from New York State through the office of Indigent Legal Services, we are able to broaden the services we can provide to our clients and thereby help them emerge from the process better equipped to succeed and remain arrest-free- thereby reducing the recidivism that plagues sectors of our community.<sup>2</sup>

### **Monroe County Model Parental Representation Bureau Grant**

In support of our model of holistic and innovative representation, in July, 2021 the Office was awarded a three (3) year grant from the Office of Indigent Legal Services (ILS) for \$2,610,417 to create the Family Defense Bureau to represent parents in child welfare proceedings using a client-centered and interdisciplinary representation model. This competitive grant, titled the “Monroe County Model Representation Bureau” grant, was approved by the Monroe County Legislature through Resolution 512 of 2021 on December 14, 2021. As only the second such program outside New York City, this grant will enable the Office to engage in innovative, preventative and impactful services to clients that will promote family preservation and reduce

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<sup>2</sup> In 2019 Monroe County received a \$38,233,512 five-year grant to improve indigent defense. This funding was provided pursuant to New York State legislation passed in 2017 requiring the Office of Indigent Legal Services to assess each county’s indigent, criminal legal services needs in three areas: (1) caseload reduction to comply with new caseloads caps; (2) providing counsel at first appearance; and (3) improving the quality of indigent defense. This legislation was the result of a class action settlement colloquially known as “Hurrell-Harring”. Statewide it is anticipated that the cost of these improvements will be approximately \$250 million by 2023. Each year since the 2018-2019 NYS fiscal year, it is anticipated that the New York State Legislature will appropriate increasing funds to reimburse the counties for these expenses. \$50 million was appropriated in FY 2018-2019, \$100 million was appropriated in NYS FY 2019-2020; and \$150 million was appropriated in NYS FY 2020-2021. It is anticipated that \$200 million will be appropriated in NYS FY 2021-2022, and \$250 million in NYS FY 2022-2023. Over the five year period, it is anticipated that Monroe County will receive \$2,548,900 in FY 2018-2019; \$5,097,801 in FY 2019-2020; \$7,646,702 in FY 2020-2021; \$10,195,603 in FY 2021-2022; and \$12,744,504 in FY 2022-2023. This funding will be allocated to the Public Defender’s Office, the Mon. Co. Conflict Defender’s Office, and the Monroe County Assigned Counsel Panel to improve indigent criminal defense. The Legislature accepted this grant on August 13, 2019.

racial disproportionality in the child welfare system.

As the grant notes, "Using a holistic approach, Bureau staff (four attorneys, four social workers, one parent advocate, and one paralegal) will assess the legal, financial, and social determinants of health needs of each client and their family members, including the needs of the subject children, to develop a strategy that will maximize the likelihood the client's children are not removed, or if removal cannot be avoided, that the children are reunified with the parent at the earliest possible time. Following the Cornerstone Advocacy model of the Center for Family Representation (CFR), each client will be assisted by a staff attorney, social worker and as needed, a parent advocate who will work together to assess the client's needs and develop a plan to achieve the client's goal to maintain the integrity of his or her family, and to ensure safety and stability for the children for the long term. The attorneys, social workers, and parent advocate will be part of a collaborative team representing each client."

The supervising attorney in charge of the unit is Special Assistant Public Defender Robert Turner.

#### **Social Work Bureau**

Supervised by Christina Sciortino and Kayla McCrickard, and comprised of Case Managers [Social Workers] and Sentencing Advocates [Mitigation Specialists], this bureau allows the Office to offer more comprehensive support both during and occasionally after the conclusion of their cases.

#### **Case Managers**

On select cases, an attorney can now initiate a referral for the assistance of a social worker resulting in a partnership designed to reduce the problems and obstacles faced by clients, both

to attain better results and to improve the likelihood of success during and after the resolution of cases. The case management arm of the Social Work Bureau provides a myriad of services to clients and their families to assist with needs to promote positive resolutions in cases, and also to support healthy living and life management services to prevent recidivism and lift current and former clients out of unfortunate circumstances in any way possible.

The Model Parental Representation Bureau grant also provides for caseworkers as well as a parent advocate, an individual who has experienced the Family Court system as a party within the system, who can understand, empathize, and guide clients through the system.

This bureau provides services including but not limited to: providing resources and referrals (housing, food, clothing, community care management, bus passes, cell phone applications, government benefit application help), linking clients to services (mental health/Substance abuse evaluations, community service resources, medical services, animal welfare services), offerings supportive services (accompaniment to court/appointments, reminder calls, obtain treatment updates to provide to court), record collection/gathering letters of support, etc.

In 2022, staff made 363 casework referrals on behalf of clients.

### **Sentencing Advocates**

The Mitigation and Sentencing Advocacy Bureau at the Monroe County Public Defender's Office is dedicated to improving outcomes for indigent individuals in criminal court proceedings. The staff of this bureau collaborates with attorneys, court involved teens and adults, their families, and various treatment and community providers, to develop holistic and humanizing narratives in hopes of improving long-term outcomes for our clients.



The work of sentencing advocates is described on the website of the National Alliance of Sentencing Advocates and Mitigation Specialists as follows:

Sentencing advocates explore the histories of criminal defendants to create individualized sentencing plans. Their proposals often focus on substance abuse and mental health treatment, victim restitution, community supervision, avoidance of future misconduct, and appropriate and constructive consequences. This approach allows courts to sentence people to community-based programs that address their needs, while reserving expensive prison and jail space only for those who threaten the safety of the community. <https://www.nlada.org/NASAMS>

This bureau provides services for homicide cases; VFO gun cases; VFO cases to include clients facing mandatory persistent sentencing; Felony cases after trial where sentencing is up to the court; Parole and felony probation violation cases; Misdemeanor cases with compelling circumstances. These services include: Record collection and discovery review, comprehensive psychosocial history collection completed via 1:1 interview(s), completion of either comprehensive or abridged mitigation reports, support during litigation, and the referral to the case management program if client is in need of identified services.

In 2022, the staff expanded to staff made a 103 referrals to the Sentencing Advocacy unit, resulting in a record-high number of clients receiving an extra layer of often outcome altering advocacy.

#### **Trial Assistants**

While sentencing advocates focus on the result of a plea or trial, trial assistants help in the preparation of a case for hearings and trials. In 2022, the Office filled both Trial Assistant positions. Trial assistants worked with attorneys in gathering information to assist in plea negotiations, hearings, and trials. They assisted with FOIL requests, subpoena preparation, and document review. They helped to transcribe communication obtained on body-worn camera

and interrogation videos. Their work freed up attorney time that had previously been spent on these tasks, so that attorneys could spend more time on attorney/client communications, negotiations, research, writing and hearing and trial preparation.

#### **Next Court Date Reminder Program**

In order to assist clients in their obligation to attend court proceedings, the Public Defender's Office implemented a "Next Court Date Reminder Program" in late 2019. Clients are typically issued reminders 7 days, 3 days, and 1 day prior to court appearances and also upon attorney request. In 2022, as a result of this program, a total of 42,963 court date reminders were sent to our 3,613 Rochester City Court and 4,729 Town and Village Court clients.

#### **Failure to Appear Program**

Unfortunately, clients do not always make their court appearances. Despite a common belief that this occurs intentionally as the result of a desire to avoid prosecution, the reality is that clients miss court for a variety of reasons unrelated to an intent to avoid prosecution including: lack of transportation (there are courts in Monroe County that are not on a bus line), conflicting work, school, and child care obligations.

Recognizing the reality that people do, at times, struggle to get to court, and miss court for reasons other than intentional disregard for courts' schedules, the New York State Legislature passed legislation (effective January 1, 2020) that required courts to wait 48 hours before issuing a "bench warrant" to allow the defendant time to appear. In 2022, for the third year, the Office issued text notices and letters to clients who failed to appear for court in an effort to have them added back onto the dockets, reduce incarceration on bench warrants, and their lives were not disrupted with warrants.

### **Counsel at First Appearance [CAFA] program**

The arraignment is the first court appearance in a criminal case and one where impactful decisions are made including the custody status of the accused. In 2022, the Office continued to provide 24/7 representation at arraignment in all courts in Monroe County appearing at the arraignments of 4,729 clients. Regardless of the charge, the court, or time of day or night, a Monroe County Public Defender will be present to represent the accused. The involvement of our attorneys at arraignment often results in the dismissal of charges and the release of our clients.

### **Domestic Violence Survivors Justice Act [DVSJA]**

Enacted in 2019, the Domestic Violence Survivors Justice Act [DVSJA] empowers sentencing courts to resentence domestic violence survivors who suffered sexual, psychological or physical abuse that contributed to their conviction if certain specific criteria are met. In 2022, the Office created a unit to enable us to provide excellent representation on these cases.

In 2022, the unit, supervised by Special Assistant Public Defender Jon Griffin and with the invaluable support of intern Courtney Ashraf, represented 29 clients on DVSJA applications.

### **Public Education**

The Office recognizes the relationship between a well-informed community and the fate of those ensnared in the criminal justice system. We as well as anyone understand the critical importance of the recent and long overdue improvements to the bail, discovery, parole, marijuana, and driver's license suspension laws. We see the day to day positive impact that these reforms have had on the lives of countless clients and their families, many of whom are indigent persons of color.

The ensuing criticisms of these reforms and the misinformation and fearmongering about them threatens to retard the progress we have witnessed. Our response has been several-fold. We have spent tremendous time and effort educating and training attorneys in our office, our community, and around the state about the changes in these laws to ensure that their clients receive the intended protections offered by these reforms. We dispatch staff to community events, frequently at the invitation of a legislator, community member, or pastor to offer support for these reforms and to counter misinformation designed to shake public support for them. Our evidence based presentations regularly win converts and also buttress the efforts of those fighting to maintain the progress that has been achieved.

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### **PART 3 TRAINING AND CONTINUING LEGAL EDUCATION**

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In order to effectively represent our clients, our attorneys must be provided frequent and regular trainings on changes in the law and how to improve their legal skills. To accomplish the necessary training for staff, the Office creates and delivers both training and CLE programs for staff. Concerned not merely with the quality of work done by our staff, the Office regularly opens no-cost training and CLE programs to the staff of the Conflict Defender and the Assigned Counsel Program. In 2022 alone, as detailed below, the Office provided 33 Continuing Legal Education programs for staff attorneys and attorneys in the legal community.

Overseeing the creation and presentation of the Office's training and CLE efforts is First Assistant Public Defender Erik Teifke. Invaluable support for training and CLE programs is provided by Executive Secretary Kennedy Flanagan with contributions from other support staff including Digital Media Tech – Christina Tsiamouras.

### **Basic Litigation Skills Training**

One of the core training programs is the Basic Litigation Skills (BLS) program that attorneys must complete early in their tenure at the office. This program is designed to serve as an introduction to many of the core skills our attorneys will use in service of their clients and provides the foundation for subsequent training and education.

In this program, attorneys are trained on skills including: the importance of our client-centered philosophy, client interviewing and relationship building, negotiation, and trial skills. This 8 module program consists of lectures followed by exercises which simulate such experiences as arraignment, motion argument, jury selection, direct examination, cross-examination, opening statements, and closing arguments. The exercises are performed under the guidance of experienced attorneys serving as coaches. The 2022 program would not be successful were it not for the time and effort of the following coaches: First Assistant Public Defender Erik Teifke, Special Assistant Public Defender John Bradley, Special Assistant Public Defender [now Public Defender] Julie Cianca, former Senior Assistant Public Defender Matthew Clark, Special Assistant Public Defender Elizabeth Riley, and Acting Second Assistant Public Defender Joshua Stubbe.

### **Introduction to Felony Practice**

Developed in 2022 by First Assistant Public Defender Erik Teifke, this program is designed for attorneys being introduced to felony cases and is intended to make sure they enter felony case practice with a solid foundation so they are well equipped to offer excellent client services immediately. During this 17-hour program, participants are trained on: felony preliminary hearings, grand jury practice, felony sentencing, the use of expert witnesses, superior court

accusatory instruments, and more.

### **CLE Programming**

In addition to the staff training programs described above, the Office continued its development and presentation of CLE programs to attorneys in the Office, the community, and across the state. In 2022, the Office sponsored 33 programs for the attorneys in the Office, and the private defense bar. Hundreds of attorneys from upstate New York attended the Office's CLE programs. All of the programs were **provided at no cost to the attendees.**

The programs offered in 2022 were:

1. Implementing Less is More- 2.18
2. Reentry for Public Defenders: A Holistic Style of Representation- 2.23
3. Reentry for Public Defenders: A Holistic Style of Representation-2.28
4. BLS Spring 1- Life of a Case – Client Centered Representation –The First Interview– Arraignment- 3.1
5. BLS Spring 2- Negotiation & Suppression Hearings-3.15
6. BLS Spring 3- Defense Theory of the Case & Voir Dire Basics-3.29
7. BLS Spring 4-Voir Dire–Part 2-4.12
8. NVFO Training 1- Welcome to NVFO Practice! An overview of felony assignments, investigations, bail, discovery and the preliminary hearing-4.22
9. BLS Spring 5-Opening Statements & What Every Attorney Should Know About the Beginning Stages of Trial-4.26
10. NVFO Training 2-Welcome to NVFO Practice! An overview of Grand Jury and Superior Court Accusatory Instruments, Felony VOP and Fugitive cases and Tour of the Grand Jury Facilities at the Hall of Justice-4.29
11. NVFO Training 3-Welcome to NVFO Practice! An overview of felony sentencing, protecting our client's appellate rights, the judicial diversion program and expert witnesses-5.6
12. BLS Spring 6-Direct Examination & Common Evidentiary Objections-5.10
13. NYS Sentencing-The Basics-5.20
14. BLS Spring 7-Introduction to Cross-Examination, Impeachment with a Prior Inconsistency, and Molineux and Sandoval-5.24
15. BLS Spring 8-Effective Closing Arguments, Prosecutorial Misconduct & Seeking, Using and Opposing Jury Instructions-6.7
16. Bail and Discovery Update-6.10
17. Client Confidentiality & Social Media-6.16
18. So...Your Client is Accused of Taking the Gun (but not necessarily leaving the cannoli)...What Do you Do Now?-6.22
19. Discovery Update, Police Disciplinary Records, 2022 Rollbacks, and Common C.O.C Defects-9.9
20. BLS Fall 1-Life of a Case–Client Centered Representation–the First Interview–Arraignment-9.26
21. BLS Fall 2-Negotiation & Suppression Hearings-10.3

22. Criminal Law Update-10.7
23. BLS Fall 3-Defense Theory of the Case, Voir Dire basics, & Jury Selection-10.11
24. BLS Fall 4-Voir Dire & Jury Selection–Part 2-10.17
25. BLS Fall 5-Opening Statements & What Every Attorney Should Know About the Beginning Stages of Trial-10.24
26. Bail in New York-10.31
27. BLS Fall 6-Direct Examination & Common Evidentiary Objections 11.7
28. BLS Fall 7-Introduction to Cross-Examination, Impeachment with a Prior Inconsistency, and Molineux and Sandoval-11.14
29. Immigration Issues in Criminal and Family Court Proceedings-11.17
30. BLS Fall 8- Effective Closing Arguments, Prosecutorial Misconduct & Seeking, Using and Opposing Jury Instructions-11.21
31. Everything You Need to Know About Bail and Bonds-11.18
32. Legal Requirements for Accusatory Instruments in New York-12.9
33. Youth Part for Dummies-12.9

Attorneys in the Office are often asked to present at various CLE programs throughout New York State. In 2022, Office attorneys presented at CLEs sponsored by the New York State Defenders Association, the Monroe County Bar Association, Syracuse university College of Law, and the New York State Association of Criminal Defense Lawyers. It is a tribute to the knowledge and skills of staff that they are so highly sought after as speakers.

Because of the work of the attorneys in this Office who donated their time and effort speaking at CLEs, the legal community received valuable instruction in criminal and family law.<sup>3</sup>

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## **PART 4: OFFICE STAFFING AND CASELOADS**

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### **Criminal Trial Courts**

The criminal trial courts consist of local courts [town courts and Rochester City Court] and

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<sup>3</sup> As a result of the numerous high-quality CLE programs presented by the Office over the last several years, the Office was awarded the Monroe County Bar Association's Raymond J. Pauley Award in 2016. The Pauley Award recognizes an attorney or organization that has made "exceptional contributions to the furtherance of legal education."

Superior Courts [County or Supreme Court. The office represents clients in all of these courts.

#### **Local Court Section**

In 2022, the supervisory distinction between town and city courts was eliminated and the two groups of courts are now considered the responsibility of our Local Courts Section. This change was made for several reasons including the need to reduce staff stratification and improve supervisor to supervisee ratios.

The Local Court Section is comprised of four Groups [A - D], each supervised by a Special Assistant Public Defender. Groups A, B, and D are comprised of attorneys handling cases in the town courts while Group C is comprised of our attorneys handling cases in Rochester City Court. Currently these three supervisors are: Special Assistants Mike Doran [A], Jean Caputo [B], Karine Haselbauer [C], and Acting Special Assistant Robert Bahr [D].

In 2022, the shift of some cases in Rochester City Court from this office to the Office of the Conflict Defender continued. As the Office of the Conflict Defender is also a longstanding county legal services department comprised of experienced criminal defense practitioners, there has predictably been no decrease in the quality of services on these cases. This shift was prudent for many reasons, not the least of which was the need to meet maximum caseload requirements mandated by the *Hurrell-Harring* lawsuit settlement. The alternative to this shift would have been the creation of an additional twenty attorney positions within the office, abruptly swelling the staff well beyond historical levels. One way or another, to maintain our grant funding and therefore not require substantial additional financial contributions from the County, the office had to reduce the number of cases per attorney by reducing the number of incoming cases as a whole.



The reduction in caseloads has benefitted staff and by extension our clients. Attorneys will fewer clients can devote more time and effort to each case. It appears thus far that these changes have facilitated retention of attorneys who have historically been frustrated by the inability to spend more time on each case.

This shift of some Rochester City Court cases to the Conflict Defender's Office will ultimately result in the Monroe County Public Defender's Office assuming representation for defendants facing charges in City Court who have a conflict in representation with attorneys from the Conflict Defender's Office. For example, if two people charged with the same offense are arraigned, one will be assigned to the Conflict Defender's Office and one will be assigned to the Office.

To ensure that all indigent defendants in Rochester City Court receive excellent services, the Office of the Public Defender continues to offer regular, no-cost trainings to the staff of the Conflict Defender's Office as well as members of the Assigned Counsel Panel.

As of January 2023, the Office has 20 attorneys regularly representing clients in local courts. Additionally, each staff attorney in the Town Court Bureau is required to staff one 12 hour arraignment shift (8:00 a.m. to 8:00 p.m.) each week under the Counsel at First Appearance (CAFA)<sup>4</sup> Program.

#### **Superior Court Section**

In 2022, the supervisory distinction between Non Violent and Violent felony attorneys was eliminated and the two groups of courts are now considered the responsibility of our

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<sup>4</sup> The CAFA program ensures that defendants arraigned at any time throughout the county are represented by counsel at arraignment.

Superior Court Section. The Superior Court section consists of four Superior Court Groups [A – D] comprised of attorneys handling either NVFOs, a mix of NVFOs and VFO [Hybrid], or VFOs. Each group is supervised by a Special Assistant Public Defender: Joshua Stubbe [A], John Bradley [B], Emily Rosmus [C], Elizabeth Riley [D].

In 2022, the Superior Court Section was staffed with the full time equivalent of 30 attorneys, including the 1st Assistant Public Defender, the 2nd Assistant Public Defender, and three Special Assistant Public Defenders. Supervising Special Assistant Public Defender have reduced caseloads due to supervisory responsibilities.

The attorneys in the Section handled felony cases, the most serious charges against the indigent accused. The attorneys appeared in all criminal courts, including: Supreme Court, County Court, City Court and Town/Village Courts.

The attorneys in this Section handled all aspects of the criminal process, including local court preliminary hearings, local court pleas and sentencing; superior court pleas and sentencing, hearings, motions, and trials. In addition, these attorneys handle probation violation proceedings, parole cases (preliminary hearings, final hearings, and administrative appeals), habeas corpus proceedings, and mental health proceedings under the Criminal Procedure Law.

The Office provides vertical representation in nearly all felony cases with rare exceptions where a determination is made that a client in an increasingly perilous legal situation would be better served with a more experienced attorney. The best interests of the client will always guide decision making. This Office remains committed to providing vertical representation because it provides the indigent accused the most effective representation possible.

In 2022, the Office was assigned to approximately 3,345 felony cases. Due to the increase

in felony staffing accomplished as the Office restructured its City Court staffing in recent years, felony caseloads for attorneys in the Public Defender's Office approximate the ILS caseload maximums.

### **Parole Representation Unit**

In 2022, the Parole Representation Unit represented 397 clients charged with violating the terms of their parole. These clients often have unique challenges, such as drug addiction issues, and face the possibility of having their parole revoked and returning to prison. Due to the increase in the number of parole violations in Monroe County since 2014,<sup>5</sup> the Office currently devotes two fulltime attorneys to this unit. In 2022, those attorneys were Special Assistant Jon Griffin and Public Defender Krystian Opalinski. In 2023, the unit will consist of two full time attorneys and continue to be supervised by Special Assistant Public Defender Jon Griffin.

Our attorneys had to master the changes in parole law under the "Less is More" statute. The Office has been instrumental in educating the local criminal defense community on the new law so alleged parole violators receive the intended benefits of the statute.

### **Family Court Section**

The Family Court bureau of the Public Defender's Office represents litigants-mostly adults but some teens as well-who have cases pending in Monroe County Family Court. The attorneys handle every type of family law case in which indigent litigants are statutorily entitled to assigned counsel, including custody/visitation cases, family offense cases (both petitioners and

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<sup>5</sup> In 2014 the Office represented 806 persons charged with violating their parole. In 2019 that had increased to over 1,100. In 2020 the Office represented clients in 638 parole cases, and in 2021 the Office represented clients in 473 cases. It is suspected that a combination of the pandemic and the gradual implementation of "Less is More" have led to the reduced number of cases in the last two years.

respondents), child abuse and neglect cases, termination of parental rights cases, paternity and child support willful violation cases, and other miscellaneous cases. Outside of New York City, the Family Court bureau of the Monroe County PD's office has the busiest family law practice of any upstate institutional provider.

The Family Court bureau experienced exciting changes in 2022. In 2021 the Office was awarded a competitive grant through the NY State Office of Indigent Legal Services to establish an upstate model parental representation unit focused on holistic legal representation of parents accused of neglecting or abusing their children. The interdisciplinary model envisions attorneys, social workers and a parent advocate providing legal and social work services to parents, both during CPS investigations and after cases are filed against parents in Court. The goals are to help parents fix the problems that could, if left unaddressed, result in the removal of their children from their care, and to speed up reunification if children are removed through CPS and/or court intervention. The benefits that we hope to realize through the interdisciplinary practice are substantial: higher quality representation of parents in child neglect and abuse cases, maintaining family integrity for families living in poverty who often have frequent and sometimes devastating contact with the CPS system, and reduction of the costs associated with out-of-home placements of children who are the subjects of CPS investigations and court action.

Upon approval of the grant by the Monroe County Legislature in December 2021, the Family Defense unit of the Family Court bureau was established in January 2022. At year end, the program had 3 of 4 attorney positions filled and 4 social worker positions filled. Particularly with the addition of social workers in the latter part of the year, we are already seeing the benefits of the interdisciplinary model in terms of client advocacy both in and out of Court.

At the outset of 2022, the Family Court bureau had 10 attorney positions and 1 supervising attorney position, not all of which were filled. Like many organizations, we experienced some of the so-called “great resignation” and consequent hiring difficulties. However, at year end the Family Court bureau was almost fully staffed with 10 attorneys in the Family Law unit, 3 attorneys in the Family Defense unit, and 2 supervising attorneys, one of which supervises the Family Defense unit. The bureau as a whole opened approximately 2200 new cases in 2022. With the carryover of cases opened in 2021 that were still pending in 2022, the Family Court bureau represented clients in approximately 3800 cases in Monroe County Family Court.

2023 promises to be another challenging yet exciting year. Caseloads in family offense and custody/visitation matters are expected to rise with implementation of a new court rule expanding financial eligibility for assigned counsel. The Family Defense unit’s representation of clients in CPS investigation matters will be expanding, especially with the new communication protocols being developed between the Public Defender’s Office and Child Protective Services to identify families that would benefit from our representation. Outreach efforts to other community and legal service providers will be established so that the Rochester community is aware of the legal and social work services our office is now able to provide, and so that providers will be able to refer parents involved in CPS investigations to us. There is a plan to establish client referral protocols with local providers having legal or human service expertise (particularly in housing, financial and employment matters) that we are not able to provide. As always, the overarching goal is to provide the best holistic legal representation possible to our clients to help them create healthy, loving and stable homes for their children.

In 2022, the Family Court Section represented 5,175 clients.

## Appeals Section

Individuals aggrieved by the final determination of a criminal or family court have the constitutional right to at least one appeal and to the assignment of counsel to represent them on appeal if they cannot afford to hire a counsel for appeal. The Monroe County Public Defender's Office is assigned by the appellate court to handle such appeals of Monroe County judgments. The Public Defender Office's appellate clients include not only individuals it was assigned to represent at the trial level, but also individuals who retained counsel at the trial level but who no longer have the financial means to retain counsel for appeal.

The preparation and argument of appeals are specialties within the fields of criminal and family law. Proper appellate practice requires not only a strong background in the law, but also strong writing skills and the ability to present persuasive oral argument of legal principles before a panel of judges. In preparing an appeal, appellate attorneys must first carefully review the proceedings (by reviewing a transcript of all proceedings, court filed documents, and exhibits) and then must research the law pertaining to any potential argument arising from the proceedings.

The Monroe County Public Defender's appeals bureau handles appeals to the County Court (of misdemeanor convictions); to the Appellate Division, Fourth Department (primarily of felony convictions and of adverse Family Court orders); and to the State's highest Court, the New York Court of Appeals. The appeals bureau also handles other post-conviction matters, such as motions to vacate convictions, motions to vacate sentences, and appeals from the revocation of parole supervision.

As the appeals bureau is a unit within the Public Defender's Office, it serves the

important role of assisting the Office's trial attorneys in their research and analysis of legal issues. This work ensures that the trial attorneys provide the best possible representation for their clients by, for example, making proper motion arguments and requests for jury instructions.

In 2022, the Public Defender's appellate bureau was supervised by Drew Dubrin, and consisted of ten assistant Public Defenders, a paralegal, and an administrative assistant. The Public Defender's Office also contracted with a number of highly experienced private appellate attorneys to handle a portion of its appellate caseload. In addition, the appeals bureau works with attorneys from large law, national law firms who handle public defender appeals pro bono under the appeals bureau's supervision.

The appeals bureau strives to ensure that its clients' appeals are timely heard, for justice delayed is often justice denied. In 2022, the appeals bureau made significant progress in reducing the delay their clients experience. While the appeals bureau was assigned to handle 92 criminal appeals in 2022, it completed work on 155 criminal appeals. In January of 2021, there were 344 appeals that the Public Defender's Office had been assigned to for over one year but had not yet filed. By February of 2022, that number was reduced to 261. And by the end of 2022, that number shrunk to 165.

In 2022, the Public Defender's won relief in approximately 20 appeals, by obtaining dismissal of charges, a new trial, a new hearing, or a reduced sentence.

#### **Investigation Section**

Supervised by Chief Investigator Latanya Morse, the Monroe County Public Defender's Office performs case investigations and other associated tasks on behalf of our clients. The Office

regularly conducts our own investigations, not relying solely upon the results of the police investigations as revealed during the discovery process. It is not unusual for our investigators to locate evidence and witnesses that the police did not or could not locate. The investigation results are then provided to the attorney who uses them to the fullest advantage of each client.

The statistics for 2022 are as follows:

INVESTIGATIVE SECTION STATISTICS 2022	CRIMINAL TRIAL SECTION	FAMILY COURT/APEALS SECTIONS	TOTAL
INVESTIGATION/INTERVIEWS	2058	325	2383
SUBPOENAS	132	144	276
LOCATE/NOTIFY	108	31	139
MISC (Translations, photos, DMV etc.)	321	36	357

In 2022, approximately 3155 criminal and family court investigation requests were handled by our investigative staff. Through their work, our investigative staff makes a strong and clear contribution the Office's ability to successfully resolve cases for our clients either by disposition or trial.

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#### **PART 5: THE FUTURE OF THE OFFICE**

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As we look ahead to 2023, the Office plans to continue to increase and diversify our staff, enhance our attorney training, improve our client services through traditional and innovative means, and enhance our community relationships. The initiatives outlined above will continue, and we will continue looking at how technology may improve Office operations and efficiency. We expect to continue to deliver the excellent results the community has come to expect.



## CONCLUSION

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The Office of the Public Defender is a very high-functioning and low-maintenance department that was unfortunately thrust into turmoil as a result of the Public Defender selection process during 2022. The Office is deeply appreciative to the Monroe County Legislature, the County Administration, and the community for their support and encouragement during that period. That support, coupled with the dedication of our staff, enabled the Office to continue to deliver traditionally excellent services despite unusually challenging circumstances. We look forward to continuing to serve the citizens of Monroe County in 2023.

Respectfully submitted for  
The Public Defender's Office

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Julie Cianca  
Monroe County Public Defender

**CASE INTAKE SUMMARY - 2022**

NEW CLIENTS	14,077
FELONY	1883
FELONY (DRUG)	159
FELONY (VFO)	1263
HOMICIDE	40
MISDEMEANOR	4461
VIOLATION (CITY AND TOWN)	854
PROBATION VIOLATION (SUPERIOR)	265
PROBATION VIOLATION (CITY AND TOWN)	184
APPEALS	92
FAMILY COURT	4353
PAROLE	410
FUGITIVE	50
SORA	45
ADVICE	31

**TRIAL COURT CASE DISPOSITIONS - 2022**

**TOTAL cases concluded [dismissal, negotiated settlement, + trial] by MCPD in 2022: 6,033**

**Cases resolved without a trial: 3,882**

- ACD 1,176
- Withdrawn and dismissed 1,023
- Dismissed on motion 266
- Dismissal other 1,417

**Cases where a plea was entered to the highest offense charged: 412**

- Violation: 17
- Misdemeanor: 275
- Felony: 120

**Cases where a plea was entered to less than the highest offense charged: 1,682**

- Pleas on felony cases: 509
  - To lesser felony: 86
  - To misdemeanor: 423
- Pleas on misdemeanor cases: 1,173
  - To lesser misdemeanor: 28
  - To violation: 1,145

**Cases concluded with a trial: 57**

- Felony: 30
- Misdemeanor: 23
- Violation: 4

**Trial result:**

- Guilty as charged: 13
- Guilty of lesser offense: 2
- Not Guilty: 20
- Trial order of dismissal: 21
- Mistrial: 2

% of cases concluded with a dismissal [ACD, Withdrawn, Dismissed on motion, Dismissal other, TOD, Mistrial]	<b>64.7</b>
% cases with highest charge conviction [Plea to highest charge + GAC after trial]	<b>7</b>
% cases with conviction for any offense [Plea or trial conviction for any crime]	<b>15.9</b>

We are extremely proud of these results; especially given that they were achieved despite what the RASE Commission recently determined to be a "lack of adequate funding for the Public Defender's Office".<sup>6</sup>

<sup>6</sup> <https://rocrase.com/files/report-rase.pdf%20>

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## **PUBLIC DEFENDER STAFF**

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### **ADMINISTRATION**

Public Defender – Julie Cianca  
Confidential Assistant to the Public Defender – Tracey Tronolone  
Project Manager – Michael Molinari  
Executive Secretary – Kennedy Flanagan  
Senior Data Officer – Katheryne Cook  
Confidential Secretary – Lillian Gucciardo  
Secretary to Special Counsel – Jennifer Fish  
Receptionist – Maribel Trott

### **CRIMINAL COURTS**

First Assistant – Erik Teifke  
Acting Second Assistant – Joshua Stubbe  
Special Assistant – John Bradley  
Special Assistant – Michael Doran  
Special Assistant – Elizabeth Riley  
Special Assistant – Jon Griffin  
Special Assistant – Karine Haselbauer  
Special Assistant – Emily Rosmus  
Special Assistant – Jean Caputo  
Acting Special Assistant – Robert Bahr

Assistant Public Defender – Katherine Higgins  
Assistant Public Defender – Campbell Roth  
Assistant Public Defender – Marybeth McCarthy  
Assistant Public Defender – Victoria Bahl  
Assistant Public Defender – Kevin Brach  
Assistant Public Defender – Mark Phillips  
Assistant Public Defender – Tracy Sullivan  
Assistant Public Defender – Krystian Opalinski  
Assistant Public Defender – Courtney Baker  
Assistant Public Defender – James Adam  
Assistant Public Defender – Christopher McClary  
Assistant Public Defender – Adam Zielinski  
Assistant Public Defender – William Weir  
Assistant Public Defender – Marc Infantino  
Assistant Public Defender – Jeremie Mathias  
Assistant Public Defender – Brittney Clark  
Assistant Public Defender – Megan Gokey  
Assistant Public Defender – Michael McNelis  
Assistant Public Defender – Alex Phengsiaroun  
Assistant Public Defender – Jordan Beal  
Assistant Public Defender – Mariefaye Bechrakis

Assistant Public Defender – Justin Reichman  
Assistant Public Defender – Nicholas Piron  
Assistant Public Defender – Latoya Funderburk  
Assistant Public Defender – Haley Werner  
Assistant Public Defender – Manab Goswami  
Assistant Public Defender – Andrew Kij  
Assistant Public Defender – Luke Harned  
Assistant Public Defender – TJ Marletta  
Assistant Public Defender – Rachel Wade  
Assistant Public Defender – Connor Wilson  
Assistant Public Defender – Lindsay Hartley  
Assistant Public Defender – Gabriela Wolfe  
Assistant Public Defender – Griffin Dault  
Assistant Public Defender – Aili Obandja  
Assistant Public Defender – Korica Simon  
Assistant Public Defender – Aaron Friedman  
Assistant Public Defender – Gregory Lebens-Higgins  
Assistant Public Defender – Connor Judd  
Assistant Public Defender – Stephanie Davis  
Legal Secretary – Pamela Loughridge  
Legal Secretary – Ann LaRocca  
Legal Secretary – Lisa Doty

#### APPEALS

Special Assistant Public Defender – Drew Dubrin  
Senior Assistant Public Defender – Janet Somes  
Senior Assistant Public Defender – David Juergens  
Senior Assistant Public Defender – Timothy Davis  
Assistant Public Defender – Jane Yoon  
Assistant Public Defender – Guy Talia  
Assistant Public Defender – James Hobbs  
Assistant Public Defender – Shirley Gorman  
Assistant Public Defender – Jonathan Garvin  
Assistant Public Defender – Tonya Plank  
Assistant Public Defender – Clea Weiss  
Special Urban Investigative Assistant – Coleen Enright  
Administrative Assistant – Shamika McKnight

#### FAMILY COURT

Special Assistant Public Defender – Adele Fine  
Special Assistant Public Defender (Family Defense Unit) – Robert Turner  
Asst. Pub. Def. – Seana L. Sartori  
Asst. Pub. Def. – Brian J. Wirley  
Asst. Pub. Def. – Christine F. Redfield

Asst. Pub. Def. – Darcie L. Bahr  
Asst. Pub. Def. – Erin K. Barry  
Asst. Pub. Def. – Lisa M. Bruce  
Asst. Pub. Def. – Erin K. Erturk  
Asst. Pub. Def. – Colton J. Kells  
Asst. Pub. Def. – Louis E. King, Jr.  
Asst. Pub. Def. – William H. King, Jr.  
Asst. Pub. Def. – Darius K. Lind  
Asst. Pub. Def. - Kerandeep A. Mattu  
Asst. Pub. Def. – Laina Arras  
Legal Secretary - Samantha Rodriguez  
Spec. Urban Inv. – Ariella Hutton  
Invest. Asst. – Katie Rimes  
Invest. Asst. – Matthew Scrivens  
Invest. Asst. (Family Defense unit) – vacant  
Parent advocate (Family Defense unit) - vacant  
Senior caseworker – Toneisha Anderson  
Senior caseworker – Lisa Freeman  
Senior caseworker – Bernadette Piccininni  
Senior caseworker – Savannah Spencer

#### INVESTIGATIONS

Chief Investigator	Latanya Morse
Senior Spec Urban Inv.	Maria Camacho
Spec Urban Inv. Bilingual	Greg Pagan
Spec Urban Inv.	Laurie Zimmer
Spec Urban Inv.	Lisa Dowda
Spec Urban Inv.	Jonan Barut
Spec Urban Inv.	Thomas Kosinski
Spec Urban Inv.	Lauren Del Vecchio
Spec Urban Inv.	Nyesha McKinney

#### SOCIAL WORK

Chief Mitigation Specialist – Christina Sciortino  
Mitigation Specialist – Andre Fontenette  
Mitigation Specialist – Wayman Harris  
Mitigation Specialist – Shunmia Waters

Senior Caseworker – Kayla McCrickard  
Caseworker – Zachary Jenkins  
Caseworker – Jalen McGill  
Caseworker – Nadia Abdallah  
Caseworker - Erin Freeman

DIGITAL MEDIA TECH

Digital Media Tech – Christina Tsiamouras

TRIAL ASSISTANTS

Trial Assistant - Pamela Flemming

Trial Assistant - Ruth Seabolt

OFFICE CLERKS

Office Clerk – Zelda Reed

Office Clerk – Eduardo Abud-Sturbaum

Office Clerk – Amy Cason

PARALEGALS

Special Urban Investigator – Dan Behrndt

Investigative Assistant – Jamaris Vargas

Investigative Assistant – Tamra Hagan

Investigative Assistant – Bria Smith

Investigative Assistant – Coren McLaughlin

Investigative Assistant – Natasha Iannitti

Investigative Assistant – Sharon Warner

**Julie Marini Cianca**  
78 Seascapes Drive  
Rochester, NY 14612  
juliecianca@gmail.com

#### **BAR ADMISSIONS**

**New York State Bar 1992**

#### **EDUCATION**

**State University of New York @Oswego**  
1985-1987

**University of Notre Dame**  
Bachelor of Liberal Arts May 1989  
Major: Philosophy Minor: Art History

**Albany Law School of Union University**  
Juris Doctorate, May 1992  
Internships-Prisoner's Legal Services, Albany County District Attorney's Office

#### **LEGAL EXPERIENCE**

**Intern, Monroe County District Attorney's Office**  
1993-1994- conducted legal research for Major Felony Bureau

**Attorney, Monroe County Public Defender's Office**  
1994-2001 represented individuals charged with misdemeanor, felony, violent felony, homicides and parole violations in town, city, division of parole, and County and Supreme Courts

**Attorney, Ernstrom and Drete, Brighton New York**  
2001 – civil practice with emphasis on contracts and construction law.

**Attorney and Supervisor, Office of the Conflict Defender, Rochester, New York**  
2002-2003 – responsible for implementation and training in newly formed criminal defense office, represented individuals charged with misdemeanors in Rochester City Court

**Special Assistant Public Defender, Monroe County Public Defender's Office**  
2003 to 2022 – represented individuals charged with felony, violent felony, homicides and parole violations.

Supervisor of non-violent felony bureau 2005 to 2008, 2021 to March, 2022  
Supervisor of Town Court bureau 2008 to 2016  
Supervisor of Parole Bureau 2017  
Supervisor and Administrator of Continuing Legal Education 2017 to 2021

**Acting First Assistant Public Defender, Monroe County Public Defender's Office**  
March, 2022 to November, 2022

**Public Defender, Monroe County Public Defender's Office**  
November, 2022 to present

#### **COMMUNITY EXPERIENCE**

Law Explorers Advisor – Greece Olympia



Penfield High School Moot Court Team Advisor  
University of Rochester Moot Court Team Advisor  
RMAPI – Rochester-Monroe Anti-Poverty Initiative

#### LEGAL COMMUNITY

Member – CDANY – Chief Defender’s Association of New York  
Member – NYSDA – New York State Defender’s Association  
Member – JPC – Judicial Process Committee  
Member – PCAJ – Presidents Committee on Access to Justice (Monroe County Bar Association)  
Member – MCCCDIP – Monroe County Criminal Case Diversion Implementation Project  
Member – CJC – 7<sup>th</sup> Judicial District Community Justice Council

#### AWARDS

Jeff Jacobs Award for Excellence in Trial Advocacy, 2017

By Legislators Yudelson, Brew, Baynes, Burgess and Vazquez Simmons

Intro. No. 29

MOTION NO. 14 OF 2024

**MOTION TO MOVE REMAINING AGENDA ITEMS AS A WHOLE EXCEPT FOR  
ITEM NOS. 11, 18, 22, 24, 25, 28, 34, 36, 37 AND 40-45**

Be It Moved, that the remaining agenda items, except for agenda items 11, 18, 22, 24, 25, 28, 34, 36, 37 and 40-45, at the February 13, 2024 Full Legislature Meeting be moved as a whole and voted on simultaneously by casting a unanimous vote by the Legislature Body.

ADOPTION: Date: February 13, 2024

Vote: 27-0

By Legislators Hughes-Smith and Bonnick

Intro. No. 30

RESOLUTION NO. 6 OF 2024

**CLASSIFICATION OF ACTION AND DETERMINATION OF SIGNIFICANCE PURSUANT TO STATE ENVIRONMENTAL QUALITY REVIEW ACT FOR SALE OF COUNTY OWNED TAX FORECLOSURE PROPERTY LOCATED AT ST. PATRICK DRIVE IN TOWN OF HENRIETTA**

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

Section 1. The Monroe County Legislature determines that the sale of County owned tax foreclosure property located at St. Patrick Drive in the Town of Henrietta is an Unlisted action.

Section 2. The Monroe County Legislature has reviewed and considered the Short Environmental Assessment Form dated November 29, 2023, and has considered the potential environmental impacts of the sale of County owned tax foreclosure property located at St. Patrick Drive in the Town of Henrietta pursuant to the requirements of State Environmental Quality Review Act, and has found that the proposed action will not result in any significant adverse environmental impacts. The Monroe County Legislature hereby issues and adopts the Negative Declaration attached hereto and made a part hereof, and determines that an environmental impact statement is not required.

Section 3. The County Executive, or his designee, is hereby authorized to take such actions to comply with the requirements of the State Environmental Quality Review Act, including without limitation, the execution of documents and the filing, distribution, and publication of the documents required under the State Environmental Quality Review Act, and any other actions to implement the intent of this resolution.

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

Environment and Public Works Committee; January 22, 2024 - CV: 7-0  
File No. 24-0006

ADOPTION: Date: February 13, 2024                      Vote: 27-0

ACTION BY THE COUNTY EXECUTIVE

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

SIGNATURE: Adun Belle                      DATE: 2/22/2024

EFFECTIVE DATE OF RESOLUTION: 2/22/2024

## Short Environmental Assessment Form

### Part 1 - Project Information

#### Instructions for Completing

**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 – Project and Sponsor Information</b>			
Name of Action or Project: Sale of Surplus Property located at St. Patrick Drive in Henrietta, NY			
Project Location (describe, and attach a location map): St. Patrick Drive in the Town of Henrietta			
Brief Description of Proposed Action: Monroe County is selling St. Patrick Drive with the Tax ID number 161.19-2-3. This property is Tax Foreclosed property and is approximately .46 acres of land.			
Name of Applicant or Sponsor: Monroe County		Telephone: 585-753-1233	
		E-Mail:	
Address: 39 west Main Street			
City/PO: Rochester		State: New York	Zip Code: 14614
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		0.46 acres	
b. Total acreage to be physically disturbed?		0.00 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0.46 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?  b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?  b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input checked="" type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe: _____ _____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3955 West Henrietta Road, approximately 1000 feet from St. Patrick Drive was subject to remediation for a variety of PAHs. Remediation at the site is complete Site Code: C828181		
<b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor/name: <u>Amy Grande</u>		Date: <u>11/29/23</u>
Signature: <u><i>Amy Grande</i></u>		Title: <u>Dir. of Real Property</u>

**PRINT FORM**

# EAF Mapper Summary Report

Wednesday, November 22, 2023 2:09 PM

**Disclaimer:** The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.

Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China, Hong Kong, Esri Korea, Esri Thailand, NGCC, OpenStreetMap contributors, and the GIS User Community

Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	Yes

**Agency Use Only (If applicable)**

Project:	St Patrick Drive
Date:	2023.11.29

**Short Environmental Assessment Form  
Part 2 - Impact Assessment**

**Part 2 is to be completed by the Lead Agency.**

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>



Agency Use Only (If applicable)  
 Project: **St. Patrick Drive**  
 Date: **2023.11.29**

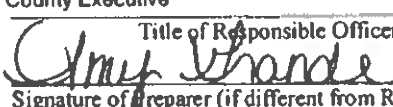
**Short Environmental Assessment Form  
 Part 3 Determination of Significance**

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

Monroe County intends to sell St. Patrick Drive, Rochester, NY 14623 (Tax ID # 161.19-2-3). It is surplus tax foreclosed property.

The Part 1 of the EAF indicates the site contains or is near the following: archaeological resources, wetlands & Remediation. No archaeological resources or wetlands or remediation will be affected by the sale of St. Patrick Drive, which is surplus tax foreclosed property. No wetlands are mapped on Tax ID# 161.19-2-3, nearest wetlands are approximately 500 feet to the northeast and 960 feet to the southeast. The nearest documented remediation site is approximately 1000 feet to the west. The proposed action is for the sale of the property and no further action is contemplated by this environmental review.

For the above reasons the sale of St. Patrick Drive will not result in any significant adverse environmental impacts.

<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.	
<input checked="" type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.	
Monroe County <hr/> Name of Lead Agency	2/22/2024 <hr/> Date
Adam J. Bello <hr/> Print or Type Name of Responsible Officer in Lead Agency	County Executive <hr/> Title of Responsible Officer
<hr/> Signature of Responsible Officer in Lead Agency	 <hr/> Signature of preparer (if different from Responsible Officer)

**PRINT FORM**

By Legislators Maffucci and Yudelson

Intro. No. 31

RESOLUTION NO. 7 OF 2024

**AUTHORIZING SALE OF COUNTY OWNED TAX FORECLOSURE PROPERTY LOCATED AT ST. PATRICK DRIVE IN TOWN OF HENRIETTA**

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 enter into a contract with the below referenced offeror, to sell the real property identified by the following tax account number 161.19-2-3 and to execute all documents necessary for the conveyance, for the purchase price set forth below.

<u>Parcel</u>	<u>Offeror</u>	<u>Offered Amount</u>
St. Patrick Drive TA # 161.19-2-3 Town of Henrietta	Oluwasegun Modupe 131 Planters Row West Henrietta, NY 14586	\$12,000

Section 2. This contract is revenue generating and no net County support is required in the current Monroe County Budget.

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

Ways and Means Committee; January 23, 2024 - CV: 11-0  
File No. 24-0007

ADOPTION: Date: February 13, 2024                      Vote: 27-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: ✓                      VETOED: \_\_\_\_\_  
SIGNATURE: *Carolyn Bell*                      DATE: 2/22/2024  
EFFECTIVE DATE OF RESOLUTION: 2/22/2024

By Legislators Hughes-Smith and Maffucci

Intro. No. 32

RESOLUTION NO. 8 OF 2024

**AUTHORIZING CONTRACTS WITH MRB GROUP ENGINEERING, ARCHITECTURE & SURVEYING, D.P.C. AND RAMBOLL AMERICAS ENGINEERING SOLUTIONS, INC. FOR PUMP STATION GENERAL ARCHITECTURAL AND ENGINEERING TERM SERVICES**

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 execute contracts, and any amendments thereto, with MRB Group Engineering, Architecture & Surveying, D.P.C. and Ramboll Americas Engineering Solutions, Inc. for pump station general architectural and engineering term services for a total annual aggregate amount not to exceed \$500,000 for the period of January 1, 2024 through December 31, 2024, with the option to renew for two (2) additional one-year extensions, with escalations for the extensions to be limited to an amount equal to the increase in the previous year's Consumer Price Index (U.S. City Average CPI-U from the Bureau of Labor Statistics).

Section 2. Funding for these contracts, consistent with authorized uses, is included in various capital funds and in the 2024 operating budget of the Department of Environmental Services, pure waters fund 9007, funds center 8575010000, Rochester Pure Waters District Special Expenses; pure waters fund 9007, funds center 8574010000, Irondequoit Bay South Central Pure Waters District Special Expenses; pure waters fund 9007, funds center 8573010000, Northwest Quadrant Pure Waters District Special Expenses; and pure waters fund 9007, funds center 8571010000, Gates-Chili-Ogden Sewer District Special Expenses, and will be requested in future years' budgets.

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

Environment & Public Works Committee; January 22, 2024 - CV: 7-0  
Ways and Means Committee; January 23, 2024 - CV: 11-0  
File No. 24-0008

ADOPTION: Date: February 13, 2024                      Vote: 27-0

ACTION BY THE COUNTY EXECUTIVE

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

SIGNATURE: Cedric Ballo                      DATE: 2/22/2024

EFFECTIVE DATE OF RESOLUTION: 2/22/2024

By Legislators Hughes-Smith and Bonnick

Intro. No. 33

RESOLUTION NO. 9 OF 2024

**AUTHORIZING MONROE COUNTY TO SUBMIT FUNDING APPLICATIONS TO FEDERAL, STATE, AND/OR NOT-FOR-PROFIT FUNDING ASSISTANCE PROGRAMS**

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 submit funding applications to federal, state, and/or not-for-profit corporations for various projects in calendar year 2024.

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

Environment and Public Works Committee; January 22, 2024 - CV: 7-0  
File No. 24-0012

ADOPTION: Date: February 13, 2024                      Vote: 27-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED:                       VETOED:   
SIGNATURE:                       DATE: 2/22/2024  
EFFECTIVE DATE OF RESOLUTION: 2/22/2024

By Legislators Frazier and Cruz

Intro. No. 34

RESOLUTION NO. 10 OF 2024

**DESIGNATING MARCH 1<sup>ST</sup> TO MARCH 30<sup>TH</sup> TO BE ANNUAL 30-DAY ENROLLMENT PERIOD FOR MAKING ADDITIONS TO MONROE COUNTY AGRICULTURAL DISTRICTS**

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

Section 1. The Monroe County Legislature hereby designates March 1<sup>st</sup> to March 30<sup>th</sup> as the annual 30-day enrollment period for making additions to Monroe County Agricultural Districts.

Section 2. The Clerk of the Legislature is hereby authorized to publish and post notice of the 30-day submission period each year for requests to include land, which is predominantly viable agricultural land, within Monroe County Agricultural Districts.

Section 3. The Monroe County Agricultural and Farmland Protection Board is hereby directed to prepare and submit a report within 30 days of the termination of the submission period each year, with its recommendations as to whether inclusion of each piece of land proposed to be included in the certified agricultural districts: a) consists predominantly of viable agricultural land, and b) would serve the public interest by assisting in maintaining a viable agricultural industry within the certified agricultural districts.

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

Planning & Economic Development Committee; January 22, 2024 - CV: 5-0  
File No. 24-0013

ADOPTION: Date: February 13, 2024                      Vote: 27-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: ✓                      VETOED: \_\_\_\_\_  
SIGNATURE: Adey Belk                      DATE: 2/22/2024  
EFFECTIVE DATE OF RESOLUTION: 2/22/2024

## LEGAL NOTICE

### NOTICE OF A 30-DAY PERIOD FOR PROPOSAL FOR INCLUSION OF PREDOMINANTLY VIABLE AGRICULTURAL LANDS INTO CERTIFIED MONROE COUNTY AGRICULTURAL DISTRICTS

PLEASE TAKE NOTICE, that pursuant to Article 25-AA of the New York State Agriculture and Markets Law, the Monroe County Legislature has adopted a process to make additions of predominantly viable agricultural land into the certified Monroe County Agricultural Districts.

PLEASE TAKE FURTHER NOTICE, that Monroe County is required to conduct a review of all proposals for inclusion of predominantly viable agricultural land into certified Monroe County Agricultural Districts.

PLEASE TAKE FURTHER NOTICE, that only whole tax parcels are eligible for inclusion in a certified Monroe County Agricultural District.

PLEASE TAKE FURTHER NOTICE, that there is hereby established a 30-day period to request parcels be added to a certified Monroe County Agricultural District, which period commences on March 1, 2024 and terminates on March 31, 2024.

PLEASE TAKE FURTHER NOTICE, that any proposed additions must be submitted in writing to the Clerk of the County Legislature within this 30-day period and shall include the following information: the certified Monroe County Agricultural District into which the land is proposed to be included; a description of the land; the tax map identification number and acreage; and the address.

PLEASE TAKE FURTHER NOTICE, that at the termination of the 30-day period any proposed additions will be submitted to the Monroe County Agricultural and Farmland Protection Board for review and recommendation to the Monroe County Legislature.

PLEASE TAKE FURTHER NOTICE, that subsequent to the receipt of the recommendations of the Monroe County Agricultural and Farmland Protection Board, the Monroe County Legislature will hold a public hearing on the proposals and recommendations of the Monroe County Agricultural and Farmland Protection Board and thereafter will take action to accept or reject the proposals to include predominantly viable agricultural land in the certified Monroe County Agricultural Districts.

DATED: February 13, 2024

By Legislators Frazier and Maffucci

Intro. No. 35

RESOLUTION NO. 11 OF 2024

**AMENDING RESOLUTION 449 OF 2017 INCREASING EXPENDITURE TO SUPPORT EFFORTS OF REGIONAL DREDGING MANAGEMENT COUNCIL**

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

Section 1. Section 1 of Resolution 449 of 2017 is hereby amended to read as follows:

The County Executive, or ~~her~~ his designee, is hereby authorized to execute a Memorandum of Understanding between Monroe County and the Counties of Niagara, Orleans, Cayuga, Wayne and Others for the Lake Ontario Regional Dredging Program and to authorize the expenditure of ~~\$5,000~~ up to \$17,500 to support the efforts of the Regional Dredging Management Council.

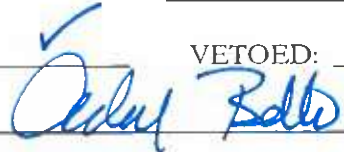
Section 2. Funding for this contribution is included in the 2024 operating budget of the Planning and Development Department, general fund 9001, funds center 1401010000, Planning Services.

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

Planning & Economic Development Committee; January 22, 2024 - CV: 5-0  
Ways and Means Committee; January 23, 2024 - CV: 11-0  
File No. 24-0014

ADOPTION: Date: February 13, 2024                      Vote: 27-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: ✓                      VETOED: \_\_\_\_\_  
SIGNATURE:                       DATE: 2/22/2024  
EFFECTIVE DATE OF RESOLUTION: 2/22/2024





By Legislators Hasman and Maffucci

Intro. No. 37

RESOLUTION NO. 13 OF 2024

**AMENDING RESOLUTION 89 OF 2023 ACCEPTING ADDITIONAL FUNDING FROM UNITED STATES CHILDREN'S BUREAU, AN OFFICE OF THE ADMINISTRATION FOR CHILDREN AND FAMILIES, THROUGH A SUBCONTRACT WITH UNIVERSITY OF CONNECTICUT FOR IMPROVING SYSTEMS AND IMPLEMENTING INTERVENTIONS TO SUPPORT LASTING REUNIFICATION OF FAMILIES**

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

Section 1. Section 1 of Resolution 89 of 2023 is hereby amended to read as follows:

The County Executive, or his designee, is hereby authorized to accept a ~~\$600,000~~ \$834,195 grant from, and to execute a contract and any amendments thereto with, the United States Children's Bureau an Office of the Administration for Children and Families, through a subcontract with the University of Connecticut, for Improving Systems and Implementing Interventions to Support Lasting Reunification of Families for the period of January 1, 2023 through September 29, 2025.

Section 2. The 2023 operating budget of the Department of Human Services, Division of Social Services is hereby amended by appropriating the sum of \$234,195 into general fund 9300, funds center 5102010000, Child and Family Services Administration.

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

Human Services Committee; January 23, 2024 - CV: 9-0  
Ways and Means Committee; January 23, 2024 - CV: 11-0  
File No. 24-0016

ADOPTION: Date: February 13, 2024                      Vote: 27-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED:                       VETOED:

SIGNATURE: Adrian Bellis                      DATE: 2/22/2024

EFFECTIVE DATE OF RESOLUTION: 2/22/2024

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

By Legislators Blankley, Hughes-Smith and Maffucci

Intro. No. 38

RESOLUTION NO. 14 OF 2024

**AUTHORIZING INTERMUNICIPAL AGREEMENT WITH CITY OF ROCHESTER TO PROVIDE WATER QUALITY MONITORING FOR BEACH AT DURAND EASTMAN PARK**

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 execute an intermunicipal agreement, and any amendments thereto, with the City of Rochester for Monroe County to provide water quality monitoring for the beach at Durand Eastman Park in an amount not to exceed \$10,000 for the period of January 1, 2024 through December 31, 2024, with two (2) one-year options to renew at Monroe County's discretion in an amount not to exceed \$10,000 in each renewal year.

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

Intergovernmental Relations Committee; January 22, 2024 - CV: 5-0  
Environment and Public Works Committee; January 22, 2024 - CV: 7-0  
Ways and Means Committee; January 23, 2024 - CV: 11-0  
File No. 24-0017

ADOPTION: Date: February 13, 2024                      Vote: 27-0

ACTION BY THE COUNTY EXECUTIVE

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

SIGNATURE:                       DATE: 2/22/2024

EFFECTIVE DATE OF RESOLUTION: 2/22/2024

By Legislators Blankley, Hasman and Maffucci

Intro. No. 39

RESOLUTION NO. 15 OF 2024

**AUTHORIZING INTERMUNICIPAL AGREEMENT WITH CITY OF ROCHESTER TO CONDUCT PRIMARY LEAD POISONING PREVENTION ACTIVITIES IN CITY TARGET AREAS FOR CHILDHOOD LEAD POISONING PREVENTION PROGRAM**

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 execute an intermunicipal agreement, and any amendments thereto, with the City of Rochester to conduct primary lead poisoning prevention activities in City target areas for the Childhood Lead Poisoning Prevention Program in an amount not to exceed \$310,000 for the period of January 1, 2024 through December 31, 2024.

Section 2. Funding for this contract is included in the 2024 operating budget of the Department of Public Health, general fund 9001, funds center 5806110000, Lead Programs.

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

Intergovernmental Relations Committee, January 22, 2024 - CV: 5-0  
Human Services Committee; January 23, 2024 - CV: 9-0  
Ways and Means Committee; January 23, 2024 - CV: 11-0  
File No. 24-0019

ADOPTION: Date: February 13, 2024                      Vote: 27-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: ✓                      VETOED: \_\_\_\_\_  
SIGNATURE: *Cedric Rolto*                      DATE: 2/22/2024  
EFFECTIVE DATE OF RESOLUTION: 2/22/2024

By Legislators Hasman and Maffucci

Intro. No. 40

RESOLUTION NO. 16 OF 2024

**AUTHORIZING AGENCY CONTRACTS WITH FINGER LAKES HEALTH SYSTEMS AGENCY D/B/A COMMON GROUND HEALTH AND ROCOVERY FITNESS, INC. FOR MONROE COUNTY DEPARTMENT OF PUBLIC HEALTH ADDICTION SERVICES PROGRAM**

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 execute a contract, and any amendments thereto, with Finger Lakes Health Systems Agency d/b/a Common Ground Health to provide Naloxone distribution and opioid education through community business owners in identified high risk zip codes in an amount not to exceed \$68,000 for the period of January 1, 2024 through December 31, 2024, with the option to renew for four (4) additional one-year terms in an amount not to exceed \$68,000 based on available funding and services to be provided.

Section 2. The County Executive, or his designee, is hereby authorized to execute a contract, and any amendments thereto, with ROcovery Fitness, Inc. to develop a Certified Peer Recovery Workforce in an amount not to exceed \$39,000 for the period of January 1, 2024 through December 31, 2024, with the option to renew for four (4) additional one-year terms in an amount not to exceed \$39,000 based on available funding and services to be provided.

Section 3. Funding for these contracts is included in the 2024 operating budget of the Department of Public Health, general fund 9001, funds center 5801120000, Opioid & Addiction Services Task Force.

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

Human Services Committee; January 23, 2024 – CV: 9-0  
Ways & Means Committee; January 23, 2024 – CV: 11-0  
File No. 24-0020

ADOPTION: Date: February 13, 2024                      Vote: 27-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: ✓                      VETOED: \_\_\_\_\_  
SIGNATURE: *Deley Balto*                      DATE: 2/22/2024  
EFFECTIVE DATE OF RESOLUTION: 2/22/2024

By Legislators Hasman and Maffucci

Intro. No. 41

RESOLUTION NO. 17 OF 2024

**AUTHORIZING CONTRACT WITH DENTSERV DENTAL SERVICES, P.C. TO PROVIDE DENTAL SERVICES FOR RESIDENTS OF MONROE COMMUNITY HOSPITAL**

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 execute a contract and any amendments thereto, with DentServ Dental Services, P.C. to provide dental services for residents of Monroe Community Hospital in a total amount not to exceed \$915,000 for the period of May 1, 2024 through April 30, 2027, with the option to renew for two (2) additional one-year terms at rates increasing annually in an amount not to exceed 3.0% per year.


Section 2. Funding for the first year of this contract is included in the 2024 operating budget of Monroe Community Hospital, hospital fund 9012, funds center 6203160000, Clinic, and will be requested in future years' budgets.

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

Human Services Committee; January 23, 2024 - CV: 9-0  
Ways and Means Committee; January 23, 2024 - CV: 11-0  
File No. 24-0021

ADOPTION: Date: February 13, 2024                      Vote: 27-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: ✓                      VETOED: \_\_\_\_\_  
SIGNATURE:                       DATE: 2/24/2024  
EFFECTIVE DATE OF RESOLUTION: 2/27/2024

By Legislators Hasman and Maffucci

Intro. No. 42

RESOLUTION NO. 18 OF 2024

**ACCEPTING FUNDING FROM NEW YORK STATE OFFICE FOR THE AGING AND AUTHORIZING CONTRACT WITH LIFESPAN OF GREATER ROCHESTER, INC. FOR MEDICARE IMPROVEMENTS FOR PATIENTS AND PROVIDERS ACT**

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 a \$50,028 grant from, and to execute a contract and any amendments thereto with, the New York State Office for the Aging for the Medicare Improvements for Patients and Providers Act for the period of September 1, 2023 through August 31, 2024.

Section 2. The County Executive, or his designee, is hereby authorized to execute a contract and any amendments thereto, with Lifespan of Greater Rochester, Inc. to administer the Medicare Improvements for Patients and Providers Act services in an amount not to exceed \$45,756 for the period of September 1, 2023 through August 31, 2024.

Section 3. Funding for this contract is included in the 2024 operating budget of the Department of Human Services, Office for the Aging, general fund 9001, funds center 5501030000, Support Services Contracts.

Section 4. The County Executive is hereby authorized to appropriate any subsequent years of these funds in accordance with the grant terms, to reappropriate any unencumbered balances during the grant period according to the grantor requirements, to make any necessary funding modifications within the grant guidelines to meet contractual commitments, and to enter into any amendments to extend the time period of the grant.

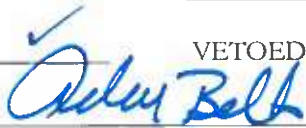
Section 5. Should funding of this program be modified or terminated for any reason, the County Executive is hereby authorized to terminate or modify the program and where applicable, to terminate or abolish some or all positions funded under such program. Any termination or abolishment of positions shall be in accordance with New York State Civil Service Law and when applicable, the terms of any labor agreement affecting such positions.

Section 6. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Human Services Committee; January 23, 2024 – CV: 9-0  
Ways and Means Committee; January 23, 2024 - CV: 11-0  
File No. 24-0023

ADOPTION: Date: February 13, 2024                      Vote: 27-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED:                       VETOED:   
SIGNATURE:                       DATE: 2/22/2024  
EFFECTIVE DATE OF RESOLUTION: 2/22/2024

**PURCHASE OF SERVICES INFORMATION FORM**  
Per Resolution 223 of 2007 as amended by Resolution 11 of 2008

Re: Acceptance of Funding from the New York State Office for the Aging and Authorization to Contract with Lifespan of Greater of Rochester, Inc. for the Medicare Improvements for Patients and Providers Act

Total Served 2022-23            1433  
Proposed \$ Amt. 2023-24:       \$45,756

**SECTION I**

**PROGRAM:** Medicare Improvements for Patients and Providers Program (MIPPA)

**CONTRACTOR:** Lifespan of Greater Rochester, Inc., Ann Marie Cook, President/CEO

**PROGRAM DESCRIPTION:** Medicare health insurance counseling, education and outreach directed at raising beneficiary awareness and understanding of Part D, and available preventive and wellness benefits.

**PRIMARY OBJECTIVE(S)/ DELIVERABLES:** To increase the ability of older adults, their family caregivers and area professionals to understand and choose affordable health insurance. A special emphasis to target low-income, culturally diverse and underserved older adults will be provided.

**PRIMARY PERFORMANCE MEASURE/INDICATOR:** People provided Medicare health insurance counseling, enrollment assistance, education and outreach will increase their awareness and understanding of Medicare Low-Income Subsidies, Savings Program, Medicare prescription drug coverage and available preventive and wellness benefits.

	Previous Year Projection	Previous Year Actual	Current Year Projection	Next Year Projection
Program Year	9/1/22-8/31/23	9/1/22-8/31/23	9/1/23-8/31/24	9/1/24-8/31/25
Total # of Applications	375	375	1000	1000
# Successful	356	1433	900	900
% Successful	90%	382.13%	90%	90%

**OUTCOME ASSESSMENT METHODOLOGY:** Lifespan uses the New York State Office for Aging's designated Statewide Client Data System, and the County's *ContractHQ* to generate monthly and quarterly reports, annual self-evaluations, program assessments, performance measures, outcome objectives, number of people served including demographics, and units provided which measure the effectiveness and impact of the program.

**SECONDARY PERFORMANCE MEASURE/INDICATOR:** Indicator of Success: Older Adults will be satisfied with the quality of service provided using the Customer Satisfaction Survey provided to participants.

	Previous Year Projection	Previous Year Actual	Current Year Projection	Next Year Projection
Program Year	9/1/22-8/31/23	9/1/22-8/31/23	9/1/23-8/31/24	9/1/24-8/31/25
% Successful	90%	90%	90%	90%

**OUTCOME ASSESSMENT METHODOLOGY:** Clients are surveyed to determine effectiveness of the program and measure the level of increased knowledge after receiving information from a MIPPA counselor. Surveys are compiled and analyzed annually.

**BOARD MEMBERS:** Vicki Hines, Ralph J. Code, III, Esq., LaRon Rowe, Lucia Acosta-Castillejo, Michael Burke, Will Carroll, John Clark, Tere Dominas, Ericka Elliott, Beverly Fair-Brooks, Jarrett Felton, John Fomof, Ankit Garg, Tracy Greene, Bob Hartman, Dr. Brian Heppard, Lori Jansen, Michael Kaufman, Cindy Lovetro, John Lynch, Jr., Dr. Robert McCann, Pennie McNulty, Susan Powell Byrd, Lisa Powers, Esq., Dr. Stephen Ryan, Jaime Soley, Miguel Velazquez, Roberta Van Winkle, Liz Vega

**SECTION II**

**SOURCE MATERIAL:** Annual Evaluation is on file with the Clerk of the Monroe County Legislature.

By Legislators Long and Maffucci

Intro. No. 43

RESOLUTION NO. 19 OF 2024

**ACCEPTING GRANT FROM NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES FOR 2023 PUBLIC SAFETY ANSWERING POINTS OPERATIONS GRANT PROGRAM**

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 a \$229,967 grant from, and to execute a contract and any amendments thereto with, the New York State Division of Homeland Security and Emergency Services for the 2023 Public Safety Answering Points Operations Grant Program for the period of January 1, 2023 through December 31, 2023.

Section 2. Funding for this grant is included in the 2023 operating budget of the Department of Public Safety, general fund 9001, funds center 2407010000, 9-1-1 Emergency Communications.

Section 3. The County Executive is hereby authorized to appropriate any subsequent years of the grant award in accordance with the grant terms, to reappropriate any unencumbered balances during the grant period according to the grantor requirements, to make any necessary funding modifications within the grant guidelines to meet contractual commitments, and to enter into any amendments to extend the time period of the grant.

Section 4. Should funding of this program be modified or terminated for any reason, the County Executive is hereby authorized to terminate or modify the program and, where applicable, to terminate or abolish some or all positions funded under such program. Any termination or abolishment of positions shall be in accordance with New York State Civil Service Law and, when applicable, the terms of any labor agreement affecting such positions.

Section 5. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Public Safety Committee; January 23, 2024 - CV: 11-0  
Ways and Means Committee; January 23, 2024 - CV: 11-0  
File No. 24-0026

ADOPTION: Date: February 13, 2024                      Vote: 27-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: ✓                      VETOED: \_\_\_\_\_  
SIGNATURE: Cedey Bello                      DATE: 2/22/2024  
EFFECTIVE DATE OF RESOLUTION: 2/22/2024



By Legislators Long and Maffucci

Intro. No. 44

RESOLUTION NO. 20 OF 2024

**AUTHORIZING CONTRACT WITH TECTONIC ENGINEERING CONSULTANTS, GEOLOGISTS & LAND SURVEYORS, D.P.C. FOR PROFESSIONAL DESIGN SERVICES FOR PUBLIC SAFETY RADIO COMMUNICATION TOWERS STRUCTURAL INSPECTION PROJECT**

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 execute a contract, and any amendments thereto, with Tectonic Engineering Consultants, Geologists & Land Surveyors, D.P.C. for a total annual amount not to exceed \$51,314 for professional design services for the Public Safety Radio Communication Towers Structural Inspection Project.

Section 2. Funding for this contract, consistent with authorized uses, is included in the 2024 Operating Budget of the Department of Public Safety, general fund 9300, funds center 2406010000, Public Safety Communications.

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

Public Safety Committee; January 23, 2024 – CV: 11-0  
Ways & Means Committee; January 23, 2024 – CV: 11-0  
File No. 24-0027

ADOPTION: Date: February 13, 2024                      Vote: 27-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: ✓                      VETOED: \_\_\_\_\_  
SIGNATURE: Adley Belto                      DATE: 2/22/2024  
EFFECTIVE DATE OF RESOLUTION: 2/22/2024

By Legislators Long and Maffucci

Intro. No. 45

RESOLUTION NO. 21 OF 2024

**ACCEPTING GRANT FROM UNITED STATES DEPARTMENT OF JUSTICE-DRUG ENFORCEMENT ADMINISTRATION FOR DRUG ENFORCEMENT ADMINISTRATION TASK FORCE**

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 a grant in an amount not to exceed \$20,707.50 and to execute a contract and any amendments thereto, with the United States Department of Justice Drug Enforcement Administration for the reimbursement of overtime for the Drug Enforcement Administration Task Force for the period of October 1, 2023 through September 30, 2024.

Section 2. The 2023 operating budget of the Office of the Sheriff is hereby amended by appropriating the sum of \$20,707.50 into general fund 9300, funds center 3803010000, Police Bureau Administration.

Section 3. The County Executive is hereby authorized to appropriate any subsequent years of the grant award in accordance with the grant terms, to reappropriate any unencumbered balances during the grant period according to the grantor requirements, to make any necessary funding modifications within the grant guidelines to meet contractual commitments, and to enter into any amendments to extend the time period of the grant.

Section 4. Should funding of this program be modified or terminated for any reason, the County Executive is hereby authorized to terminate or modify the program and, where applicable, to terminate or abolish some or all positions funded under such program. Any termination or abolishment of positions shall be in accordance with New York State Civil Service Law and, when applicable, the terms of any labor agreement affecting such positions.

Section 5. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Public Safety Committee; January 23, 2024 - CV: 11-0  
Ways and Means Committee; January 23, 2024 - CV: 11-0  
File No. 24-0029

ADOPTION: Date: February 13, 2024                      Vote: 27-0

ACTION BY THE COUNTY EXECUTIVE

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

SIGNATURE: Cedric Ballo                      DATE: 2/22/2024

EFFECTIVE DATE OF RESOLUTION: 2/22/2024

By Legislators Maffucci and Yudelson

Intro. No. 46

RESOLUTION NO. 22 OF 2024

**ACCEPTING PROCEEDS FROM CITY OF ROCHESTER'S AUCTION OF UNCLAIMED STOLEN PROPERTY AND AMENDING 2024 OPERATING BUDGET**

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

Section 1. The Monroe County Legislature hereby accepts proceeds from the City of Rochester's auction of unclaimed stolen property in the amount of \$71,493.79 into restricted fund balance of the general fund.

Section 2. The 2024 operating budget of the Office of the Sheriff is hereby amended by appropriating restricted fund balance in the amount of \$43,996.18 into general fund 9001, funds center 3803010000, Police Bureau Administration.

Section 3. The 2024 operating budget of the District Attorney's Office is hereby amended by appropriating restricted fund balance in the amount of \$27,497.61 into general fund 9001, funds center 2501010000, DA Administration.

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

Ways and Means Committee; January 23, 2024 - CV: 11-0  
File No. 24-0030

ADOPTION: Date: February 13, 2024                      Vote: 27-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: ✓                      VETOED: \_\_\_\_\_  
SIGNATURE: Adrian Belbo                      DATE: 2/22/2024  
EFFECTIVE DATE OF RESOLUTION: 2/22/2024

By Legislators Maffucci and Yudelson

Intro. No. 48

RESOLUTION NO. 24 OF 2024

**AUTHORIZING CONTRACT WITH REL COMM, INC. FOR PHONE SYSTEM LICENSING AND SUPPORT**

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 execute a contract and any amendments thereto, with Rel Comm, Inc. for phone and voicemail system support and for software assurance for both the phone system and the voicemail system in an amount not to exceed \$262,000, of which \$72,000 will allow Rel Comm, Inc. to renew the Mitel Software assurance; \$100,000 to renew Voicemail licensing; and \$90,000 to provide support for both systems based on current costs for the period of January 1, 2024 through December 31, 2024.

Section 2. Funding for this contract is included in the 2024 operating budget of the Department of Information Services, internal services fund 9020, funds center 1903010000, Information Services Operations and in the 2024 operating budget of the Department of Human Services grant fund 9300, funds center 5118010000, Social Service Grants.

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

Ways & Means Committee; January 23, 2024 – CV: 11-0  
File No. 24-0032

ADOPTION: Date: February 13, 2024                      Vote: 27-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: ✓                      VETOED: \_\_\_\_\_  
SIGNATURE: *Adelfo Bello*                      DATE: 2/22/2024  
EFFECTIVE DATE OF RESOLUTION: 2/22/2024

By Legislators Long and Maffucci

Intro. No. 49

RESOLUTION NO. 25 OF 2024

**ACCEPTING AID TO DEFENSE GRANT FROM NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES FOR OFFICE OF PUBLIC DEFENDER**

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 a \$245,086 grant from, and to execute a contract and any amendments thereto with, the New York State Division of Criminal Justice Services for the Aid to Defense Program for the Office of the Public Defender for the period of April 1, 2023 through March 31, 2024.

Section 2. The 2023 operating budget of the Public Defender's Office is hereby amended by appropriating the sum of \$245,086 into general fund 9001, funds center 2601010000, Office of The Public Defender.

Section 3. The County Executive is hereby authorized to appropriate any subsequent years of the grant award in accordance with the grant terms, to reappropriate any unencumbered balances during the grant period according to the grantor requirements, to make any necessary funding modifications within the grant guidelines to meet contractual commitments, and to enter into any amendments to extend the time period of the grant.

Section 4. Should funding of this program be modified or terminated for any reason, the County Executive is hereby authorized to terminate or modify the program and, where applicable, to terminate or abolish some or all positions funded under such program. Any termination or abolishment of positions shall be in accordance with New York State Civil Service Law and, when applicable, the terms of any labor agreement affecting such positions.

Section 5. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Public Safety Committee; January 23, 2024 - CV: 11-0  
Ways and Means Committee; January 23, 2024 - CV: 11-0  
File No. 24-0033

ADOPTION: Date: February 13, 2024                      Vote: 27-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: ✓                      VETOED: \_\_\_\_\_  
SIGNATURE: Adas Bello                      DATE: 2/22/2024  
EFFECTIVE DATE OF RESOLUTION: 2/22/2024

By Legislators Hasman and Maffucci

Intro. No. 50

RESOLUTION NO. 26 OF 2024

**ACCEPTING GRANT FROM NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES FOR SAFE HARBOUR INITIATIVE FOR 2024**

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 a \$40,000 grant from, and to execute a contract and any amendments thereto with, the New York State Office of Children and Family Services for the Safe Harbour Initiative for 2024 for the period of January 1, 2024 through December 31, 2024.

Section 2. The 2024 operating budget of the Department of Human Services, Division of Social Services, is hereby amended by appropriating the sum of \$40,000 into fund 9300, funds center 5102010000, Child and Family Services Administration.

Section 3. The County Executive is hereby authorized to appropriate any subsequent years of the grant award in accordance with the grant terms, to reappropriate any unencumbered balances during the grant period according to the grantor requirements, to make any necessary funding modifications within the grant guidelines to meet contractual commitments, and to enter into any amendments to extend the time period of the grant.

Section 4. Should funding of this program be modified or terminated for any reason, the County Executive is hereby authorized to terminate or modify the program and, where applicable, to terminate or abolish some or all positions funded under such program. Any termination or abolishment of positions shall be in accordance with New York State Civil Service Law and, when applicable, the terms of any labor agreements affecting such positions.

Section 5. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Human Services Committee; January 23, 2024 - CV: 9-0  
Ways and Means Committee; January 23, 2024 - CV: 11-0  
File No. 24-0036

ADOPTION: Date: February 13, 2024                      Vote: 27-0

ACTION BY THE COUNTY EXECUTIVE

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

SIGNATURE: Adelny Bello                      DATE: 2/22/2024

EFFECTIVE DATE OF RESOLUTION: 2/22/2024

By Legislators Hughes-Smith and Maffucci

Intro. No. 51

RESOLUTION NO. 27 OF 2024

SUPERSEDING BOND RESOLUTION DATED FEBRUARY 13, 2024

**RESOLUTION AUTHORIZING THE ISSUANCE OF \$9,500,000 BONDS OF THE COUNTY OF MONROE, NEW YORK, TO FINANCE THE COST OF THE I&I GENESEE VALLEY PUMP STATION PROJECT IN AND FOR SAID COUNTY, AT AN ESTIMATED MAXIMUM COST OF \$9,500,000 AND SUPERSEDING THE BOND RESOLUTION ADOPTED ON SEPTEMBER 14, 2021 (RESOLUTION NO. 286 OF 2021)**

BE IT RESOLVED BY THE AFFIRMATIVE VOTE OF **NOT LESS THAN TWO-THIRDS OF THE TOTAL VOTING STRENGTH** OF THE LEGISLATURE OF THE COUNTY OF MONROE, as follows:

Section 1. For the object or purpose of financing the cost of the I&I Genesee Valley Pump Station Project in and for the County of Monroe, New York (the “County”), consisting of a new sewage pump station and force main on behalf of the Rochester Pure Waters District, there are hereby authorized to be issued \$9,500,000 bonds of the County, pursuant to the provisions of the Local Finance Law. The duly adopted current Capital Budget of the County, to the extent inconsistent herewith, is hereby amended to provide for the appropriation of an additional \$4,000,000 to pay the cost of the aforesaid specific object or purpose (\$5,500,000 having been heretofore appropriated from one or more Capital Budgets). The period of probable usefulness of the aforesaid specific object or purpose is forty (40) years, pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law.

Section 2. The maximum estimated cost thereof is \$9,500,000, and the plan for the financing thereof is by the issuance of \$9,500,000 bonds of said County herein authorized, provided, however, that to the extent any state and/or federal aid and/or grant and/or gift is received for the aforesaid purpose, the County Executive, or his designee, is hereby authorized to accept and shall use such funds to redeem any outstanding indebtedness incurred for such purpose or apply it, dollar for dollar, to reduce the amount of bonds to be issued for such purpose.

Section 3. The faith and credit of the County are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall annually be levied on all the taxable real property of said County a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell, the bonds and bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Director of Finance - Chief Financial Officer, the chief fiscal officer of the County under the Local Finance Law. The Director of Finance - Chief Financial Officer may sell such bonds or notes at public or private sale, at a discount or premium, at fixed or variable rates of interest or at no interest whatsoever, or as capital appreciation bonds, and with such amortization of principal as the Director of Finance - Chief Financial Officer shall determine is most favorable to the County, and in compliance with any rules of the State Comptroller applicable thereto. Such bonds or notes shall be of such terms, form and contents, and shall be sold in such manner, as may be

prescribed by said Director of Finance - Chief Financial Officer, consistent with the provisions of the Local Finance Law. The Director of Finance - Chief Financial Officer may, in the event it is determined to issue variable rate bonds or notes, enter into such agreements as said officer finds reasonable to facilitate the issuance, sale, resale and repurchase of such bonds or notes, as authorized under Section 54.90 of the Local Finance Law. The Director of Finance - Chief Financial Officer is also authorized to enter into such agreements and take such other action as may be necessary or appropriate and lawful to assure that, to the extent possible, (i) interest on the bonds and notes authorized hereby will not be includable in the gross income, for federal income tax purposes, of the recipients thereof, and (ii) to enable the purchaser thereof to comply with Securities and Exchange Commission Rule 15c2-12. The Director of Finance - Chief Financial Officer is hereby further delegated all powers of this County Legislature with respect to agreements for credit enhancement, derived from and pursuant to Section 168.00 of the Local Finance Law, for such bonds or notes, including, but not limited to the determination of the provider of such credit enhancement facility or facilities and the terms and contents of any agreement or agreements related thereto.

Section 5. All other matters, except as provided herein, relating to such bonds or notes, including prescribing whether manual or facsimile signatures shall appear on said bonds or notes, prescribing the method for the recording of ownership of said bonds or notes, appointing the fiscal agent or agents for said bonds or notes, providing for the printing and delivery of said bonds or notes (and if said bonds or notes are to be executed in the name of the County by only facsimile signatures, providing for the manual countersignature of a fiscal agent or of a designated official of the County), the date, form, denominations, maturities, interest rate or rates, terms of and manner of sale and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Director of Finance - Chief Financial Officer. The Director of Finance - Chief Financial Officer may elect to become the fiscal agent for the bonds or notes, or may contract on behalf of the County for this service pursuant to the Local Finance Law. Such bonds or notes shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals, in addition to those required by Section 52.00 of the Local Finance Law, as the Director of Finance - Chief Financial Officer shall determine.

Section 6. The validity of such bonds and bond anticipation notes, as authorized by this resolution, may be contested only if:

- 1) such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) the provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or
- 3) such obligations are authorized in violation of the provisions of the Constitution.

Section 7. This resolution shall supersede Resolution No. 286 of 2021, being a bond resolution dated September 14, 2021, except to the extent that any indebtedness shall have been contracted or encumbrances made thereunder. The purpose of this superseding bond resolution is to effect the following: to increase the maximum estimated cost of the purpose to \$9,500,000, and to provide \$9,500,000 bonds therefor, an increase of \$4,000,000 over the \$5,500,000 bonds authorized under Resolution No. 286 of 2021.

Section 8. This resolution shall constitute a statement of official intent for purposes of Section 1.150-2 of the Treasury Regulations. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the objects or purposes described herein.



Section 9. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter and the Clerk of the Legislature is hereby authorized and directed to publish this resolution or a summary hereof to be published, together with a notice attached in substantially the form and in the manner prescribed by Section 81.00 of the Local Finance Law.

Environment & Public Works Committee; January 22, 2024 – CV: 7-0  
Ways and Means Committee; January 23, 2024 – CV: 11-0  
File No. 24-0038.br

ADOPTION: Date: February 13, 2024                      Vote: 27-0

ACTION BY THE COUNTY EXECUTIVE

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

SIGNATURE: Cedric Belton                      DATE: 2/22/2024

EFFECTIVE DATE OF RESOLUTION: 2/22/2024

By Legislators Hasman and Maffucci

Intro. No. 52

RESOLUTION NO. 28 OF 2024

**AUTHORIZING AGENCY CONTRACT WITH NEW YORK RECOVERY ALLIANCE, INC. FOR MONROE COUNTY DEPARTMENT OF PUBLIC HEALTH ADDICTION SERVICES PROGRAM**

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 execute a contract, and any amendments thereto, with New York Recovery Alliance, Inc. to provide Naloxone distribution and opioid education through impacted individuals in identified high risk zip codes in an amount not to exceed \$62,000 for the period of January 1, 2024 through December 31, 2024, with the option to renew for four (4) additional one-year terms in an amount not to exceed \$62,000 per year based on available funding and services to be provided.

Section 2. Funding for this contract is included in the 2024 operating budget of the Department of Public Health, general fund 9001, funds center 5801120000, Opioid & Addiction Services Task Force.

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

Human Services Committee; January 23, 2024 – CV: 9-0  
Ways & Means Committee; January 23, 2024 – CV: 11-0  
File No. 24-0042

ADOPTION: Date: February 13, 2024                      Vote: 27-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED:                       VETOED:

SIGNATURE: Aday Bello                      DATE: 2/22/2024

EFFECTIVE DATE OF RESOLUTION: 2/22/2024

By Legislators Blankley, Hughes-Smith and Maffucci

Intro. No. 53

RESOLUTION NO. 29 OF 2024

**AUTHORIZING INTERMUNICIPAL AGREEMENT WITH MONROE 2-ORLEANS BOARD OF COOPERATIVE EDUCATIONAL SERVICES TO PROVIDE ANNUAL TECHNICAL SKILLS TRAINING PROGRAMS**

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 execute an intermunicipal agreement, and any amendments thereto, with Monroe 2-Orleans Board of Cooperative Educational Services in an annual amount not to exceed \$75,000 to provide an annual technical skills training program to the Monroe County Department of Environmental Services for the period of January 1, 2024 through December 31, 2024, with the option to renew for four (4) additional one-year extensions in an annual amount not to exceed \$75,000.

Section 2. Funding for this agreement is included in the 2024 operating budget of the Department of Environmental Services, pure waters fund 9007, funds center 8572010000, Pure Waters Administration and internal services fund 9020, funds center 8670010000, Maintenance and Construction, and will be requested in future years' budgets.

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

Intergovernmental Relations Committee; January 22, 2024 - CV: 5-0  
Environment and Public Works Committee; January 22, 2024 - CV: 7-0  
Ways and Means Committee; January 23, 2024 - CV: 11-0  
File No. 24-0010

ADOPTION: Date: February 13, 2024                      Vote: 27-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: ✓                      VETOED: \_\_\_\_\_  
SIGNATURE: Adey Bello                      DATE: 2/22/2024  
EFFECTIVE DATE OF RESOLUTION: 2/22/2024

By Legislators Blankley, Hasman and Maffucci

Intro. No. 54

RESOLUTION NO. 30 OF 2024

**AUTHORIZING INTERMUNICIPAL AGREEMENT WITH CITY OF ROCHESTER FOR FLOWER CITY PUBLIC HEALTH CORPS MEMBERS TO SERVE IN MONROE COUNTY DEPARTMENT OF PUBLIC HEALTH**

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 execute an intermunicipal agreement and any amendments thereto, with the City of Rochester for Flower City Public Health Corps Members to serve in the Monroe County Department of Public Health for the period January 1, 2024 through December 31, 2024, with the option to renew for one (1) additional one-year term.

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

Intergovernmental Relations Committee; January 22, 2024 - CV: 5-0  
Human Services Committee; January 23, 2024 - CV: 9-0  
Ways and Means Committee; January 23, 2024 - CV: 11-0  
File No. 24-0018

ADOPTION: Date: February 13, 2024

Vote: 27-0

*(Legislator Vazquez Simmons Declared Her Interest Prior to the Vote.)*

ACTION BY THE COUNTY EXECUTIVE

APPROVED:

VETOED:

SIGNATURE: Adley Belbo

DATE: 2/22/2024

EFFECTIVE DATE OF RESOLUTION: 2/22/2024

By Legislators Hasman and Maffucci

Intro. No. 55

RESOLUTION NO. 31 OF 2024

**AUTHORIZING CONTRACTS TO PROVIDE TEMPORARY NURSING STAFF AT MONROE COMMUNITY HOSPITAL**

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 execute contracts, and any amendments thereto, with Adecco Medical & Science Staffing, Inc., Battle Licensed Practical Nursing, PLLC, Clinical Staffing Resources Corp., Cross Country Staffing, Inc. (d/b/a Cross Country Healthcare Services), Excel Staffing Solutions, LLC, and Maxim Healthcare Staffing Services, Inc., to provide nursing staff relief on a temporary basis at Monroe Community Hospital in a total amount not to exceed \$450,000 collectively for the period of April 1, 2024 through March 31, 2025, with the option to renew for three (3) additional one-year terms with an increase in an amount not to exceed 3.0% per year.

Section 2. Funding for these contracts is included in the 2024 operating budget of Monroe Community Hospital, hospital fund 9012, funds center 6203010000, Nursing Administration, and will be requested in future years' budgets.

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

Human Services Committee; January 23, 2024 – CV: 9-0  
Ways and Means Committee; January 23, 2024 – CV: 11-0  
File No. 24-0022

ADOPTION: Date: February 13, 2024      Vote: 27-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: ✓ VETOED: \_\_\_\_\_

SIGNATURE: Ordey Bello DATE: 2/22/2024

EFFECTIVE DATE OF RESOLUTION: 2/22/2024

By Legislators Burgess and Maffucci

Intro. No. 56

RESOLUTION NO. 32 OF 2024

**AUTHORIZING CONTRACT WITH CP WARD, INC. FOR CONSTRUCTION SERVICES FOR ALDRICH ROAD CULVERT PROJECT IN TOWN OF PERINTON**

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 execute a contract, and any amendments thereto, with CP Ward, Inc. in the amount of \$1,286,228.84 for construction services for the Aldrich Road Culvert Project in the Town of Perinton.

Section 2. Funding for this contract, consistent with authorized uses, is included in the 2024 operating budget of the Department of Transportation, road fund 9002, funds center 8002050000, State Supported Consolidated Local Street and Highway Improvement Program.

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

Transportation Committee; January 23, 2024 – CV: 7-0  
Ways and Means Committee; January 23, 2024 – CV: 11-0  
File No. 24-0024

ADOPTION: Date: February 13, 2024                      Vote: 27-0

ACTION BY THE COUNTY EXECUTIVE

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

SIGNATURE: Ardley Belb                      DATE: 2/22/2024

EFFECTIVE DATE OF RESOLUTION: 2/22/2024

By Legislators Long and Maffucci

Intro. No. 57

RESOLUTION NO. 33 OF 2024

**ACCEPTING GRANT FROM UNITED STATES DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS, FOR 2023 DNA CAPACITY ENHANCEMENT PROGRAM**

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 a \$526,741 grant from, and to execute a contract and any amendments thereto with, the United States Department of Justice, Office of Justice Programs for the 2023 DNA Capacity Enhancement Program for the period of October 1, 2023 through September 30, 2025.

Section 2. The 2023 operating budget of the Department of Public Safety is hereby amended by appropriating the sum of \$526,741 into general fund 9300, funds center 2408040100, Monroe County Crime Laboratory.

Section 3. The County Executive is hereby authorized to appropriate any subsequent years of the grant award in accordance with the grant terms, to reappropriate any unencumbered balances during the grant period according to the grantor requirements, to make any necessary funding modifications within the grant guidelines to meet contractual commitments, and to enter into any amendments to extend the time period of the grant.

Section 4. Should funding of this program be modified or terminated for any reason, the County Executive is hereby authorized to terminate or modify the program and, where applicable, to terminate or abolish some or all positions funded under such program. Any termination or abolishment of positions shall be in accordance with New York State Civil Service Law and, when applicable, the terms of any labor agreement affecting such positions.

Section 5. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Public Safety Committee; January 23, 2024 - CV: 11-0  
Ways and Means Committee; January 23, 2024 - CV: 11-0  
File No. 24-0025

ADOPTION: Date: February 13, 2024                      Vote: 27-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: ✓                      VETOED: \_\_\_\_\_  
SIGNATURE: *Cedaf Bello*                      DATE: 2/22/2024  
EFFECTIVE DATE OF RESOLUTION: 2/22/2024

By Legislators Long and Maffucci

Intro. No. 58

RESOLUTION NO. 34 OF 2024

**AMENDING RESOLUTION 39 OF 2021 ACCEPTING ADDITIONAL FUNDING FROM UNITED STATES BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES FOR ATF-MONROE COUNTY SHERIFF'S OFFICE FIREARM/EXPLOSIVE TASK FORCE**

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

Section 1. Section 1 of Resolution 39 of 2021 is hereby amended to read as follows:

The County Executive, or his designee, is hereby authorized to accept a ~~\$55,000~~ \$105,000 grant from, and to execute a contract and any amendments thereto with, the United States Bureau of Alcohol, Tobacco, Firearms and Explosives for the ATF-Monroe County Sheriff's Office Firearm/Explosive Task Force for the period of October 1, 2019 through September 30, 2024.

Section 2. The 2023 operating budget of the Office of the Sheriff is hereby amended by appropriating the sum of \$50,000 into general fund 9300, funds center 3803010000, Police Bureau Administration.

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

Public Safety Committee; January 23, 2024 – CV: 11-0  
Ways and Means Committee; January 23, 2024 - CV: 11-0  
File No. 24-0028

ADOPTION: Date: February 13, 2024                      Vote: 27-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: ✓                      VETOED: \_\_\_\_\_  
SIGNATURE: Ordey Felts                      DATE: 2/22/2024  
EFFECTIVE DATE OF RESOLUTION: 2/22/2024

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



By Legislators Hasman and Maffucci

Intro. No. 59

RESOLUTION NO. 35 OF 2024

**ACCEPTING GRANT FROM NEW YORK STATE DEPARTMENT OF HEALTH FOR INCREASING TRAINING CAPACITY IN STATEWIDE HEALTHCARE FACILITIES**

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 a grant in a total amount not to exceed \$878,756 from, and to execute a contract and any amendments thereto with, the New York State Department of Health for Increasing Training Capacity in Statwide Healthcare Facilities at Monroe Community Hospital for the period of October 1, 2023 through September 30, 2025.

Section 2. The 2024 operating budget of Monroe Community Hospital is hereby amended by appropriating the sum of \$878,756 into hospital fund 9312, funds center 6201010000, Administration.

Section 3. The County Executive is hereby authorized to appropriate any subsequent years of the grant award in accordance with the grant terms, to reappropriate any unencumbered balances during the grant period according to the grantor requirements, to make any necessary funding modifications within the grant guidelines to meet contractual commitments, and to enter into any amendments to extend the time period of the grant.

Section 4. Should funding of this program be modified or terminated for any reason, the County Executive is hereby authorized to terminate or modify the program and, where applicable, to terminate or abolish some or all positions funded under such program. Any termination or abolishment of positions shall be in accordance with New York State Civil Service Law and, when applicable, the terms of any labor agreement affecting such positions.

Section 5. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Human Services Committee; January 23, 2024 – CV: 9-0  
Ways and Means Committee; January 23, 2024 - CV: 11-0  
File No. 24-0035

ADOPTION: Date: February 13, 2024                      Vote: 27-0

ACTION BY THE COUNTY EXECUTIVE

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

SIGNATURE: Adam Salto                      DATE: 2/22/2024

EFFECTIVE DATE OF RESOLUTION: 2/22/2024

By Legislators Maffucci and Yudelson

Intro. No. 60

MOTION NO. 15 OF 2024

**PROVIDING THAT FILE NO. 24-0037 BE DISCHARGED FROM THE WAYS AND MEANS COMMITTEE**

Be It Moved, that File No. 24-0037 be, and hereby is discharged from the Ways and Means Committee.

ADOPTION: Date: February 13, 2024

Vote: 27-0

By Legislators Maffucci and Yudelson

Intro. No. 61

MOTION NO. 16 OF 2024

**PROVIDING THAT RESOLUTION ENTITLED “AUTHORIZING CONTRACT WITH INFO QUICK SOLUTIONS, INC. FOR INSTALLATION AND OPERATION OF INTEGRATED COUNTY CLERK’S RECORDS MANAGEMENT SYSTEM,” BE ADOPTED**

Be It Moved, that resolution ENTITLED “AUTHORIZING CONTRACT WITH INFO QUICK SOLUTIONS, INC. FOR INSTALLATION AND OPERATION OF INTEGRATED COUNTY CLERK’S RECORDS MANAGEMENT SYSTEM,” be adopted.

File No. 24-0037

ADOPTION: Date: February 13, 2024

Vote: 26-0

By Legislators Maffucci and Yudelson

Intro. No. 62

RESOLUTION NO. 36 OF 2024

**AUTHORIZING CONTRACT WITH INFO QUICK SOLUTIONS, INC. FOR INSTALLATION AND OPERATION OF INTEGRATED COUNTY CLERK'S RECORDS MANAGEMENT SYSTEM**

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 execute a contract, and any amendments thereto, with Info Quick Solutions, Inc. in an amount not to exceed \$600,000 for the installation and maintenance of an integrated records management system and for the continued maintenance of said system. The first payment will be made in 2024 in an amount not to exceed \$216,000 upon completion and acceptance of the installation and full data migration of the system, with maintenance fees in an amount not to exceed \$96,000 per year for four (4) additional years.

Section 2. Funding for the first year of the contract is included in the 2024 operating budget of Monroe County Clerk's Office, fund 9001, funds center 2101020000, Downtown Operations.

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

File No. 24-0037

ADOPTION: Date: February 13, 2024

Vote: 26-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED:  VETOED:

SIGNATURE: *Cedric Bell* DATE: 2/22/2024

EFFECTIVE DATE OF RESOLUTION: 2/22/2024

By Legislators Long and Maffucci

Intro. No. 63

RESOLUTION NO. 37 OF 2024

**CONFIRMING REAPPOINTMENT OF ASSIGNED COUNSEL ADMINISTRATOR**

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

Section 1. The reappointment of Mark Funk as Assigned Counsel Administrator is hereby confirmed, pursuant to the Monroe County/Monroe County Bar Association Plan Regarding the Conflict Defender's Office and Assigned Counsel Program.

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

Public Safety Committee; January 23, 2024 – CV: 11-0  
File No. 24-0043

ADOPTION: Date: February 13, 2024                      Vote: 26-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: ✓                      VETOED: \_\_\_\_\_  
SIGNATURE: Adul Bello                      DATE: 2/22/2024  
EFFECTIVE DATE OF RESOLUTION: 2/22/2024

# Mark D. Funk

Suite 600 16 E. Main Street Rochester, New York 14614 (585) 753-3488  
markfunk@monroecounty.gov

## EMPLOYMENT

### **MONROE COUNTY ASSIGNED COUNSEL PROGRAM**

- \**Monroe County Assigned Counsel Administrator*; October 31, 2016 – Present
- \*Manage the Monroe County Assigned Counsel Program-supervised the assignment of thousands of cases (approximately 3,400 assignments in 2022) annually to approximately 150 panel attorneys

### **MONROE COUNTY CONFLICT DEFENDER'S OFFICE**

- \**Monroe County Conflict Defender*; October 31, 2016 – July 2023
- \*Supervisor of a staff of 36 including 21 Attorneys who handle misdemeanor criminal cases, parental representation cases in Family Court appeals for indigent clients (office handled approximately 3,500 cases in 2022).

### **LAW OFFICE OF MARK D. FUNK**

- \**Private Practice of Law*; January 2001 – October 2016.
- \*Criminal Defense, Family Court and Appellate Practice.

## Awards and Accolades

### **2023 President's Award for Professionalism, Monroe County Bar**

**Association:** Awarded by Monroe County Bar Association President Langston D. McFadden; awarded to an attorney who exemplifies and demonstrates a commitment to the concepts of professionalism, civility and collegiality.

### **Rochester Business Journal/Daily Record, Power Law List for 2021, 2022 and 2023:**

A list of local legal professionals who are: making sure the legal needs of Rochester's residents are being met and helped limit the disruption caused by the COVID-19 pandemic (2021), working to push the Rochester legal community forward during a time of uncertainty and change (2022) and making sure the legal needs of Rochester's residents are met (2023).

**2021 Daily Record/RBJ, Legal Excellence-Leaders in Law Award:** Recognizing legal professionals who demonstrate professional accomplishment, exceptional character, integrity and ethics, and commitment to clients and community who make our community stronger through both their professional accomplishments and their civic contributions.

## **EDUCATION**

### **UNIVERSITY OF DAYTON SCHOOL OF LAW**

- \*Class of 1995 Rank: Top 18% (24 of 133).
- \*Jessup International Law Moot Court Competition, Spring 1995.

### **STATE UNIVERSITY OF NEW YORK COLLEGE AT OSWEGO**

- \**Magna Cum Laude* graduate, 1992.
- \*B.S. in Secondary Education-Social Studies

## **CONTINUING LEGAL EDUCATION**

\*Speaker at numerous Continuing Legal Education Programs on criminal law and Family Court related topics.

\*Attendee at numerous Continuing Legal Education Programs on criminal law and Family Court related topics.

## **BAR ASSOCIATION/PROFESSIONAL ORGANIZATIONS/COMMITTEES**

### ***\*Chief Defender's Association of New York***

- President, 2022-2023
- President-Elect, Treasurer, Board of Trustees
- Chair, Family Court Committee
- Legislative Committee
- Membership Committee
- Assigned Counsel Committee

### ***\*Monroe County Bar Association***

- Past Secretary/Board of Trustees Member
- Past Chair, Criminal Justice Section
- Council Member (current), Family/Matrimonial Section
- Current Chair, Awards Committee
- Member (current), President's Commission on Access to Justice
- Member (current), Solo/Small Committee
- Member (current), Diversity Committee
- Past Secretary, Lawyers for Learning Committee
- Past Lawyers for Learning Mentor, School #29

**\*Monroe County**

- Department of Public Safety, Diversity, Equity and Inclusion Committee
- Department of Public Safety, Employee Recognition Committee

**\*New York State Bar Association**

- Mandated Representation Committee
  - Assigned Counsel Sub-committee
  - Family Court Sub-Committee
- Committee on Families and Law

**\*Other Committees (alphabetically):**

- Communities Not Cages Coalition
- Community Justice Council
- Court Improvement Project (CIP) Committee
  - CIP Race Equity Sub-committee
- Criminal Case Diversion Implementation Project Committee
- Criminal Justice Council
- Domestic Violence/Intensive Domestic Violence Committee
- Family Court Custody Part Operations Committee
- Family Court Planning Committee
- Family Defense Multi-Coalition
- Family Treatment Court Committee
- Greater Rochester Legal Services for Veterans Committee
- Monroe County Criminal Justice Council
- National Adoption Day Committee
- New York Family Advocacy Multi-Coalition
- NYS Office of Indigent Legal Services Criminal Defense Advisory Committee
- NYS Office of Indigent Legal Services Family Court Standards Committee
- NYS SAVES Council
- Policy Equity Academy Grant Committee
- Pre-textual Stop Coalition
- RASE Commission Criminal Justice-Policing CART
- Rochester Extended Family (REF) Initiative Committee
  - Logistics Sub-Committee
  - Research Sub-Committee
- SAFE (Human Trafficking) Court Committee
- Seventh Judicial District Assigned Counsel Administrators Committee
- Seventh Judicial District Chief Defenders Committee
- Seventh Judicial District Community Justice Council
- Veterans Court Committee

**VOLUNTEER ACTIVITY**

**COACH/JUDGE; NYSBA Mock Trial Competition, 1996-present**



By Legislators Baynes and Bartholomew McCoy

Intro. No. 64

RESOLUTION NO. 38 OF 2024

**CONFIRMATION OF REAPPOINTMENT TO BOARD OF TRUSTEES OF MONROE COUNTY LIBRARY SYSTEM**

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

Section 1. In accordance with Article 5 of the Education Law of New York State and Section C7-4 of the Monroe County Charter, the following reappointment to the Monroe County Library System Board of Trustees submitted by Legislature President is hereby confirmed:

Christopher H. Corcoran, residing at 141 Brookside Drive, Rochester, New York 14618, for a term to be as of July 1, 2023 and expire on June 30, 2028.

Section 2. This resolution shall take effect immediately.

Matter of Urgency  
File No. 24-0044

ADOPTION: Date: February 13, 2024

Vote: 25-2

*(Legislators Delvecchio Hoffman and Vazquez Simmons Voted in the Negative.)*

*(Legislator Baynes Declared His Interest Prior to the Vote.)*

By Legislators Maffucci, Yudelson, Burgess, Frazier, Johns, Milne and Vazquez Simmons

Intro. No. 65

RESOLUTION NO. 39 OF 2024

**APPROVING COLLECTIVE BARGAINING AGREEMENT BETWEEN MONROE COUNTY EXECUTIVE AND MONROE COUNTY FEDERATION OF SOCIAL WORKERS, I.U.E.-C.W.A. 81381**

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

Section 1. The agreement between the Monroe County Executive and the Monroe County Federation of Social Workers I.U.E.-C.W.A. 81381 for the period of January 1, 2024 through December 31, 2026 is hereby approved.

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

Matter of Urgency  
File No. 24-0045

ADOPTION: Date: February 13, 2024                      Vote: 27-0

ACTION BY THE COUNTY EXECUTIVE

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

SIGNATURE: *Orley Bell*                      DATE: 2/22/2024

EFFECTIVE DATE OF RESOLUTION: 2/22/2024

By Legislators Hasman and Maffucci

Intro. No. 66

RESOLUTION NO. 40 OF 2024

**AUTHORIZING ACCEPTANCE AND PAYMENT OF HEALTH CARE AND MENTAL HYGIENE WORKER BONUSES TO MONROE COUNTY EMPLOYEES AND AMENDMENT OF CONTRACTS TO PAY HEALTH CARE AND MENTAL HYGIENE WORKER BONUSES TO MONROE COUNTY CONTRACTORS**

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 \$230,000.

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 County Executive, or his designee, is hereby authorized to execute amendments to the following contract in an amount not to exceed \$3,230 for purposes of making payment of Health Care and Mental Hygiene Worker Bonus payments to the following eligible Monroe County contractor:

- A. Morrison Management Specialists, Inc., an affiliate of Morrison Healthcare, a Division of Compass Group USA, Inc. for food, nutritional and vending service management and operation at Monroe Community Hospital, as authorized by Resolution 415 of 2020, as amended by Resolution 465 of 2022 and Resolution 269 of 2023.

Section 4. The 2024 operating budget of the Department of Public Health, general fund 9001, funds center 5801010000 Public Health Commissioner, in the amount of \$31,219; the Department of Aviation, airport fund 9010, funds center 8101010000 Airport Administration, in the amount of \$4,845; the Department of Human Services, general fund 9001, funds center 5701010000 Mental Health Administration, in the amount of \$6,459; the Office of the Sheriff, general fund 9001, funds center 3801010000 Sheriff Administration, in the amount of \$1,615, are hereby amended.

Section 5. Funding for the Health Care and Mental Hygiene Worker Bonuses is being provided by the State of New York pursuant to Section 367-w.

Section 6. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Matter of Urgency  
File No. 24-0046

ADOPTION: Date: February 13, 2024                      Vote: 27-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: ✓                      VETOED: \_\_\_\_\_  
SIGNATURE: Adrian Bell                      DATE: 2/22/2024  
EFFECTIVE DATE OF RESOLUTION: 2/22/2024

By Legislators Brew, Yudelson, Baynes, Ciardi, Colby, DiFlorio, Johns, Keller, McCabe, McIntyre, Milne, Morris and Sinclair

Intro. No. 67

RESOLUTION NO. 41 OF 2024

**CONFIRMING APPOINTMENT OF REPUBLICAN ELECTIONS COMMISSIONER PETER D. ELDER**

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

Section 1. In accordance with Sections 3-202 and 3-204 of the Election Law of the State of New York and the recommendation of the Monroe County Republican Committee, the appointment of Mr. Peter D. Elder, 59 Dunning Avenue, Webster, New York 14580, to the Office of Commissioner of Elections by the Monroe County Legislature is hereby confirmed. The term shall commence on January 1, 2025 and expire on December 31, 2028.

Section 2. This resolution shall take effect immediately.

Matter of Urgency  
File No. 24-0047

ADOPTION: Date: February 13, 2024

Vote: 27-0

*Intro. No. 68*

ELECTION NO. 9 OF 2024

**ELECTION OF THE SECOND ASSISTANT DEPUTY CLERK OF THE  
MONROE COUNTY LEGISLATURE**

Mr. Brew nominated Ian Watkins, to serve as 2<sup>nd</sup> Assistant Deputy Clerk of the Monroe County Legislature. Mr. McCabe and Ms. McIntyre seconded the nomination.

Mr. Yudelson nominated Carlton Huff, to serve as 2<sup>nd</sup> Assistant Deputy Clerk of the Monroe County Legislature. Mr. Burgess seconded the nomination.

There being no other nominations, President Roman requested that a single vote be called for the candidate as presented.

Upon calling the roll, Mr. Carlton Huff was elected to serve as 2<sup>nd</sup> Assistant Deputy Clerk of the Monroe County Legislature by the following vote:

Watkins — Legislators Brew, Ciardi, Colby, DiFlorio, Johns, Keller, McCabe, McIntyre, Milen, Morris, Sinclair – 11

Huff — Legislators Barnhart, Bartholomew McCoy, Baynes, Blankley, Bonnick, Burgess, Cruz, Delvecchio Hoffman, Frazier, Hasman, Hughes-Smith, Long, Maffucci, Roman, Vazquez Simmons, Yudelson – 16