



Monroe County Legislature

CAROLYN DELVECCHIO HOFFMAN

Legislator – District 25

January 8, 2024

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

OFFICIAL FILE COPY	
No.	240002
Not to be removed from the Office of the Legislature of Monroe County	
Committee Assignment	
Memorializing Referral	-L

RE: Memorializing the United States Congress to Pass a Law to Provide Medicare for All.

Honorable Legislators:

In 1912, Norway began providing universal healthcare for its citizens. In 1948, the United Kingdom followed suit. In addition, Canada, France, and Italy represent only a few more nations who passed universal healthcare laws before the end of the 20th century. In 2016, the United Nations declared “the right to health is a cardinal social and economic right.” It is now 2023, and the United States has made almost no progress in passing legislation to provide Medicare for All.

Currently, over 27 million Americans do not have health insurance. More than 78 million Americans struggle with medical debt. Surveys across the nation have shown that many of our citizens worry about paying for utilities and groceries due to their medical expenses, and because of this, many go without necessary health care and medication.

No American should have to ask themselves if they should have heat or heart medication this winter. No American should wonder how they will afford to take their sick child to the doctor. No American should have to worry if an ambulance ride will bankrupt them.

In the last few years we have made steps in the right direction, most recently with President Biden’s Inflation Reduction Act, which capped insulin costs at \$35 per month for seniors on Medicare. But it is not nearly enough. We encourage the members of the House of Representatives and the Senate to introduce and pass legislation to provide Medicare for All Americans. We also urge President Biden to support and sign such legislation.

Respectfully Submitted,



Carolyn Delvecchio Hoffman
Legislator – District 25



Susan Hughes-Smith
Legislator – District 14



Rachel Barnhart
Legislator – District 17



Albert Blankley
Legislator – District 24



Monroe County Legislature

YVERSHA M. ROMAN
President

January 8, 2024

OFFICIAL FILE COPY
No. <u>240003</u>
Not to be removed from the Office of the Legislature Of Monroe County
Committee Assignment
Memorializing Referral -L

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

RE: Memorializing the United States Congress to Pass the Stop Fentanyl Now Act of 2023.

Honorable Legislators:

Fentanyl is one of the deadliest drugs to ever plague our nation. Synthetic opioids like fentanyl can be found throughout America, from small rural towns to our biggest metropolises, and even small doses can prove fatal. In fact, over 150 people die every single day from synthetic opioid overdoses.

Fentanyl can be up to 100 times more potent than morphine and is highly addictive. Because of this, many street drugs are now laced with Fentanyl in attempts to make these drugs even more addictive. Further, the DEA has found millions of counterfeit prescription pills laced with fentanyl and sold online. It is nearly impossible to detect if a drug has been laced with fentanyl, as users will not be able to see, smell, or taste it.

This bill, H.R.4272, introduced by Representative Sheila Jackson Lee, aims to grow public awareness surrounding fentanyl use and fentanyl-laced drugs, expand the grants authorized under the Comprehensive Opioid Abuse Grant Program, increase treatment and recovery services, and harshen the penalties for certain offenses involving counterfeit pills.

Specifically, this legislation will allow grants for secondary school teachers to carry and administer opioid overdose reversal drug, such as Naloxone, and legalize the possession, sale, or purchase of fentanyl drug testing equipment. Additionally, it will establish grants for states and localities to develop treatment programs for individuals who are addicted to fentanyl and fentanyl-related substances. The Stop Fentanyl Now Act of 2023 will also increase the maximum sentence and fine for fentanyl dealers whose sales result in the death or serious injury of another individual.

H.R.4272: The Stop Fentanyl Now Act of 2023 will work to stop the spread of fentanyl and help our citizens recover from this epidemic. We encourage the members of the House of Representatives and the Senate to pass this legislation to aid in stopping hundreds of thousands of unnecessary deaths. We also urge President Biden to follow suit and sign this into law.

Respectfully submitted,



Yversha Roman
President



Linda Hasman
Legislator – District 23



Howard Maffucci
Legislator – District 10



Susan Hughes-Smith
Legislator – District 14



Dave Long
Legislator – District 16



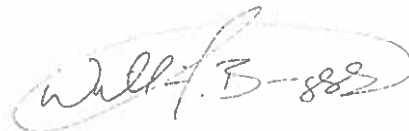
Rachel Barnhart
Legislator – District 17



Albert Blankley
Legislator – District 24



Ricky Frazier
Legislator – District 28



William Burgess
Legislator – District 29



Monroe County Legislature

YVERSHA M. ROMAN

President

January 8, 2024

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

OFFICIAL FILE COPY
No. <u>240004</u>
Not to be removed from the Office of the Legislature of Monroe County
Committee Assignment
PUBLIC SAFETY -L

Subject: Re-appointment of Julie A. Cianca as Public Defender

Honorable Legislators:

I, Yversha Roman, President of the Monroe County Legislature, do hereby submit to this Honorable Body for your confirmation, the reappointment of Julie A. Cianca as Public Defender, pursuant to Section C7-5 of the Monroe County Charter.

Ms. Cianca resides at 78 Seascape Drive, Rochester, New York 14612. Attached is the Office of the Public Defender 2022 Annual Report and a copy of Ms. Cianca's resume.

The specific legislative action required is to appoint Ms. Cianca as Public Defender, for a two-year term, effective January 1, 2024 and expiring December 31, 2025.

This resolution will have no fiscal impact on Monroe County's Budget.

Sincerely,

Yversha Román
President

By Legislator Roman

Intro. No.

RESOLUTION NO. _____ 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.

Matter of Urgency
File No. 24-_____

ADOPTION: Date: _____ Vote: _____



OFFICE OF THE PUBLIC DEFENDER

ANNUAL REPORT

2022

INTRODUCTION

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.

PART 1: RECRUITMENT, RETENTION, AND DIVERSIFICATION OF STAFF

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 in 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.¹ 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.

¹ <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.

PART 2: CONTINUED IMPROVEMENT OF CLIENT SERVICES

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.²

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

² 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.

PART 3 TRAINING AND CONTINUING LEGAL EDUCATION

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.³

PART 4: OFFICE STAFFING AND CASELOADS

Criminal Trial Courts

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

³ 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 have fewer clients and 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)⁴ 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

⁴ 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 2014,⁵ 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

⁵ 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.

PART 5: THE FUTURE OF THE OFFICE

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

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

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
FUGUTIVE	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]	64.7
% cases with highest charge conviction [Plea to highest charge + GAC after trial]	7
% cases with conviction for any offense [Plea or trial conviction for any crime]	15.9

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”.⁶

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

PUBLIC DEFENDER STAFF

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.	Nyeshia 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 – Zeldia 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
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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 – 7th Judicial District Community Justice Council

AWARDS

Jeff Jacobs Award for Excellence in Trial Advocacy, 2017



Office of the County Executive

Monroe County, New York

Adam J. Bello
County Executive

January 5, 2024

OFFICIAL FILE COPY
No. <u>240005</u>
Not to be removed from the Office of the Legislature of Monroe County
Committee Assignment
AGENDA/CHARTER-L
ENV. & PUB. WORKS

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

Subject: Enact a Local Law to Amend 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"

Honorable Legislators:

I recommend that Your Honorable Body enact 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," to add an option to expand the leased premises by an additional 123,220 sq. ft. of unimproved real property with an adjusted additional rent and to amend the name of the airport in the lease to the Frederick Douglass - Greater Rochester International Airport.

The additional space will be utilized by Federal Express Corporation to operate its business.

The amendment of the lease was approved by Resolution No. 5 of 2022 by the Monroe County Airport Authority at its meeting on March 23, 2022.

The specific legislative actions required are:

1. Schedule and hold a public hearing on the proposed Local Law.
2. Enact a Local Law to Amend 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" to add an option to expand the leased premises by an additional 123,220 sq. ft. of unimproved real property with an adjusted additional rent and to amend the name of the airport in the lease, and any amendments thereto, to the Frederick Douglass - Greater Rochester International Airport.

This action is a Type II Action pursuant to 6 NYCRR § 617.5 (c)(32) ("license, lease and permit renewals, or transfers of ownership thereof, where there will be no material change in permit conditions or the scope of permitted activities") and is not subject to further review under the State Environmental Quality Review Act.

This lease agreement, as amended, continues to be revenue generating to the Monroe County Airport Authority, and no County support is required in the current Monroe County budget.

The records in the office of the Monroe County Treasury have indicated that neither Federal Express Corporation, nor any of its principal officers, owe any delinquent Monroe County property taxes. The principal officers of the firm are:

Frederick W. Smith, Chairman and Chief Executive Officer
Rajesh Subramaniam, President and Chief Operating Officer
Michael Lenz, Executive Vice President and Chief Financial Officer
Mark Allen, Executive Vice President, General Counsel and Secretary

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,


Adam J. Bello
Monroe County Executive

AJB:db

By Legislators _____ and _____

Intro. No. ____

LOCAL LAW NO. __ OF 2024

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. 24-0____.LL

ADOPTION: Date: _____

Vote: _____

ACTION BY THE COUNTY EXECUTIVE

APPROVED: _____ VETOED: _____

SIGNATURE: _____ DATE: _____

EFFECTIVE DATE OF LOCAL LAW: _____

Added language is underlined

Deleted language is ~~stricken~~



Office of the County Executive

Monroe County, New York

Adam J. Bello
County Executive

OFFICIAL FILE COPY
No. <u>240006</u>
Not to be removed from the Office of the Legislature Of Monroe County
Committee Assignment
ENV. & PUB. WORKS-L

January 5, 2024

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

Subject: Classification of Action and Determination of Significance Pursuant to the State Environmental Quality Review Act for the Sale of County Owned Tax Foreclosure Property Located at St. Patrick Drive in the Town of Henrietta

Honorable Legislators:

I recommend that Your Honorable Body determine whether the sale of County owned tax foreclosure property in the Town of Henrietta may have a significant adverse impact on the environment pursuant to the State Environmental Quality Review Act ("SEQRA"). This action is described as follows:

The proposed sale is as follows:

<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

The sale of County owned tax foreclosure property located at St. Patrick Drive, Rochester, NY 14623 in the Town of Henrietta has been preliminarily classified as an Unlisted action. The SEQRA regulations found at 6 NYCRR Part 617 requires that no agency shall carry out or approve an Action until it has complied with the requirements of SEQRA.

The specific legislative actions required are:

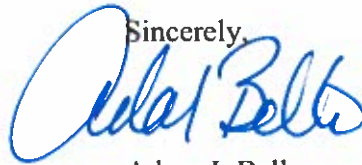
1. Determine that the sale of County owned tax foreclosure property located at St. Patrick Drive in the Town of Henrietta is an Unlisted Action.
2. Make a determination of significance regarding the sale of County owned tax foreclosure property located at St. Patrick Drive in the Town of Henrietta pursuant to 6 NYCRR § 617.7.

3. Authorize the County Executive, or his designee, 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

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

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,



Adam J. Bello
Monroe County Executive



Office of the County Executive

Monroe County, New York

Adam J. Bello
County Executive

January 5, 2024

OFFICIAL FILE COPY
No. <u>240007</u>
Not to be removed from the Office of the Legislature of Monroe County
Committee Assignment
WAYS & MEANS -L

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

Subject: Authorize the Sale of County Owned Tax Foreclosure Property Located at St. Patrick Drive in the Town of Henrietta

Honorable Legislators:

I recommend that Your Honorable Body authorize a contract to sell county owned tax foreclosure property located at St. Patrick Drive in the Town of Henrietta as follows:

<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

This vacant land was acquired January 30, 2019 through tax foreclosure, is surplus property and is not needed by Monroe County. The price indicated above was determined to be market value by Monroe County Real Estate.

The specific legislative action required is to authorize the County Executive, or his designee, to enter into a contract with the above 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 above.

The provisions of the New York State Environmental Quality Review Act shall be complied with prior to Your Honorable Body undertaking, funding, or approving the action requested in this referral.

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

The records in the Office of the Monroe County Treasury have indicated that the individual property owner listed above does not owe any delinquent Monroe County property taxes.

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,

Adam J. Bello
Monroe County Executive



Office of the County Executive

Monroe County, New York

Adam J. Bello
County Executive

OFFICIAL FILE COPY
No. <u>240008</u>
Not to be removed from the Office of the Legislature Of Monroe County
Committee Assignment
ENV. & PUB. WORKS-L
WAYS & MEANS

January 5, 2024

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

Subject: Authorize 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

Honorable Legislators:

I recommend that Your Honorable Body authorize contracts with MRB Group Engineering, Architecture & Surveying, D.P.C. and Ramboll Americas Engineering Solutions, Inc. for a total annual aggregate amount not to exceed \$500,000 for pump station general architectural and engineering term services for the Gates-Chili-Ogden Sewer District, Northwest Quadrant Pure Waters District, Irondequoit Bay South Central Pure Waters District, and the Rochester Pure Waters District (the "Districts") 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).

The Districts own, operate and maintain 63 sewage pumping stations. These contracts will provide pump station engineering term services including facility evaluations, preparation of engineering reports and technical memorandums, construction cost estimating, preparation of design drawings and technical specifications, and administration and inspection for pump station improvements and associated gravity sewers serving these Districts.

A Request for Proposals was issued with MRB Group Engineering, Architecture & Surveying, D.P.C. and Ramboll Americas Engineering Solutions, Inc. rated the most qualified to provide these services.

The specific legislative action required is to authorize the County Executive, or his designee, to execute contracts, and any amendments thereto, with MRB Group Engineering, Architecture & Surveying, D.P.C., 145 Culver Road, Suite 160, Rochester, New York 14620 and Ramboll Americas Engineering Solutions, Inc., 400 Andrews Street, Suite 710, Rochester, New York 14604 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).

This action is a Type II Action pursuant to 6 NYCRR § 617.5(c) (24) (“information collection including basic data collection and research, water quality and pollution studies, traffic counts, engineering studies, surveys, subsurface investigations and soils studies that do not commit the agency to undertake, fund or approve any Type I or Unlisted action”); (26) (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”); and (27) (“conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such action”) and is not subject to further review under the State Quality Review Act.

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

The records in the Office of the Monroe County Treasury have indicated that neither MRB Group Engineering, Architecture & Surveying, D.P.C., nor Ramboll Americas Engineering Solutions, Inc., nor any of their principal officers, owe any delinquent Monroe County property taxes. The principal officers of the firms are:

MRB Group Engineering, Architecture & Surveying, D.P.C.

Ryan T. Colvin, President

James J. Oberst, Executive Vice President / Chief Operating Officer

David M. Doyle, Vice President

Ramboll Americas Engineering Solutions, Inc.

Thomas Nowlan, Executive Director & Chief Executive Officer

Eric Gernant, Secretary

Edward Zawadzki, Treasurer

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,



Adam J. Bello

Monroe County Executive



Office of the County Executive

Monroe County, New York

Adam J. Bello
County Executive

January 5, 2024

OFFICIAL FILE COPY	
No.	<u>240009</u>
Not to be removed from the Office of the Legislature of Monroe County	
Committee Assignment	
PWAB	-L

To The Administrative Boards of the
Gates-Chili-Ogden Sewer District
Irondequoit Bay South Central Pure Waters District
Northwest Quadrant Pure Waters District
Rochester Pure Waters District
407 County Office Building
Rochester, New York 14614

Subject: Authorize 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

Honorable Legislators:

I recommend that the 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 authorize contracts with MRB Group Engineering, Architecture & Surveying, D.P.C. and Ramboll Americas Engineering Solutions, Inc. for a total annual aggregate amount not to exceed \$500,000 for pump station general architectural and engineering term services for the Gates-Chili-Ogden Sewer District, Northwest Quadrant Pure Waters District, Irondequoit Bay South Central Pure Waters District, and the Rochester Pure Waters District (the "Districts") 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).

The Districts own, operate and maintain 63 sewage pumping stations. These contracts will provide pump station engineering term services including facility evaluations, preparation of engineering reports and technical memorandums, construction cost estimating, preparation of design drawings and technical specifications, and administration and inspection for pump station improvements and associated gravity sewers serving these Districts.

A Request for Proposals was issued with MRB Group Engineering, Architecture & Surveying, D.P.C. and Ramboll Americas Engineering Solutions, Inc. rated the most qualified to provide these services.

The specific Administrative Boards action required is to authorize the County Executive, or his designee, to execute contracts, and any amendments thereto, with MRB Group Engineering, Architecture & Surveying, D.P.C., 145 Culver Road, Suite 160, Rochester, New York 14620 and Ramboll Americas Engineering Solutions, Inc., 400 Andrews Street, Suite 710, Rochester, New York 14604 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).

To The Administrative Boards of the
Gates-Chili-Ogden Sewer District
Irondequoit Bay South Central Pure Waters District
Northwest Quadrant Pure Waters District
Rochester Pure Waters District
January 5, 2024
Page 2

This action is a Type II Action pursuant to 6 NYCRR § 617.5(c) (24) (“information collection including basic data collection and research, water quality and pollution studies, traffic counts, engineering studies, surveys, subsurface investigations and soils studies that do not commit the agency to undertake, fund or approve any Type I or Unlisted action”) (26) (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”); and (27) (“conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such action”) and is not subject to further review under the State Quality Review Act.

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

The records in the Office of the Monroe County Treasury have indicated that neither MRB Group Engineering, Architecture & Surveying, D.P.C., nor Ramboll Americas Engineering Solutions, Inc., nor any of their principal officers, owe any delinquent Monroe County property taxes. The principal officers of the firms are:

MRB Group Engineering, Architecture & Surveying, D.P.C.

Ryan T. Colvin, President
James J. Oberst, Executive Vice President / Chief Operating Officer
David M. Doyle, Vice President

Ramboll Americas Engineering Solutions, Inc.

Thomas Nowlan, Executive Director & Chief Executive Officer
Eric Gernant, Secretary
Edward Zawadzki, Treasurer

I recommend that this matter receive favorable action by the 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.

Sincerely,



Adam J. Bello
Monroe County Executive



Office of the County Executive

Monroe County, New York

Adam J. Bello
County Executive

January 5, 2024

OFFICIAL FILE COPY
No. <u>240010</u>
Not to be removed from the Office of the Legislature Of Monroe County
Committee Assignment
INTRGOV REL -L
ENV. & PUB. WORKS
WAYS & MEANS

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

Subject: Authorize an Intermunicipal Agreement with Monroe 2-Orleans Board of Cooperative Educational Services to Provide an Annual Technical Skills Training Program

Honorable Legislators:

I recommend that Your Honorable Body authorize an intermunicipal agreement 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 ("DES") 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.

DES is responsible for operating and maintaining Pure Waters' wastewater conveyance and treatment infrastructure and fifteen County facilities comprising nearly three (3) million square feet of space. Wastewater infrastructure includes two wastewater treatment plants, 1,350 miles of collector sewers, regional interceptors, 30 miles of deep-rock tunnels and 63 pump stations. Major County facilities include the County Office Building, CityPlace, the Hall of Justice, the Public Safety Building and 111 Westfall Road, among others. Training and development of DES employees responsible for these assets results in improved competency, reduction of down-time, improved safety, and more cost-effective operations.

The specific legislative action required is to authorize the County Executive, or his designee, to execute an intermunicipal agreement, and any amendments thereto, with Monroe 2-Orleans Board of Cooperative Educational Services, 160 Wallace Way, Bldg. 9, Rochester, New York 14624 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.

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

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

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,


Adam J. Bello
Monroe County Executive

AJB:db



Office of the County Executive

Monroe County, New York

Adam J. Bello
County Executive

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No.	24011
Not to be removed from the Office of the Legislature of Monroe County	
Committee Assignment	
PWAB	-L

January 5, 2024

To The Administrative Boards of the
Gates-Chili-Ogden Sewer District
Irondequoit Bay South Central Pure Waters District
Northwest Quadrant Pure Waters District
Rochester Pure Waters District
407 County Office Building
Rochester, New York 14614

Subject: Authorize an Intermunicipal Agreement with Monroe 2-Orleans Board of Cooperative Educational Services to Provide an Annual Technical Skills Training Program

Honorable Legislators:

I recommend that the Administrative Boards of the Gates-Chili-Ogden Sewer District, Irondequoit Bay South Central Pure Waters District, Northwest Quadrant Pure Waters District, and the Rochester Pure Water District authorize an intermunicipal agreement 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 ("DES") 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.

DES is responsible for operating and maintaining Pure Waters' wastewater conveyance and treatment infrastructure and fifteen County facilities comprising nearly three (3) million square feet of space. Wastewater infrastructure includes two wastewater treatment plants, 1,350 miles of collector sewers, regional interceptors, 30 miles of deep-rock tunnels and 63 pump stations. Major County facilities include the County Office Building, CityPlace, the Hall of Justice, the Public Safety Building and 111 Westfall Road, among others. Training and development of DES employees responsible for these assets results in improved competency, reduction of down-time, improved safety, and more cost-effective operations.

The specific Administrative Boards action required is to authorize the County Executive, or his designee, to execute an intermunicipal agreement, and any amendments thereto, with Monroe 2-Orleans Board of Cooperative Educational Services, 160 Wallace Way, Bldg. 9, Rochester, New York 14624 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.

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

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

To The Administrative Boards of the
Gates-Chili-Ogden Sewer District
Irondequoit Bay South Central Pure Waters District
Northwest Quadrant Pure Waters District
Rochester Pure Waters District
January 5, 2024
Page 2

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

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

I recommend that this matter receive favorable action by the Administrative Boards of the Gates-Chili-Ogden Sewer District, Irondequoit Bay South Central Pure Waters District, Northwest Quadrant Pure Waters District and the Rochester Pure Waters District.

Sincerely,



Adam J. Bello
Monroe County Executive

AJB:db



Office of the County Executive

Monroe County, New York

Adam J. Bello
County Executive

January 5, 2024

OFFICIAL FILE COPY
No. <u>240012</u>
Not to be removed from the Office of the Legislature of Monroe County
Committee Assignment
ENV. & PUB. WORKS-L

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

Subject: Authorize Monroe County to Submit Funding Applications to Federal, State, and/or Not-for-Profit Funding Assistance Programs

Honorable Legislators:

I recommend that Your Honorable Body authorize Monroe County to submit funding applications to federal, state, and/or not-for-profit corporations, including but not limited to the annual Consolidated Funding Application, the New York State Environmental Facilities Corporation, New York State Empire State Development, the United States Environmental Protection Agency, the United States Department of Housing and Urban Development, and other state and federal agencies and not-for-profit corporations for various projects in calendar year 2024.

Projects that qualify and are selected for funding will be referred to Your Honorable Body for approval.

The specific legislative action required is to authorize the County Executive, or his designee, to submit funding applications to federal, state, and/or not-for-profit corporations for various projects in calendar year 2024.

This action is a Type II Action pursuant to 6 NYCRR § 617.5(c)(27) ("conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such action") and is not subject to further review under the State Environmental Quality Review Act.

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

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,

Adam J. Bello
Monroe County Executive

AJB:db



Office of the County Executive

Monroe County, New York

Adam J. Bello
County Executive

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No. <u>240013</u>
Not to be removed from the Office of the Legislature Of Monroe County
Committee Assignment
PLAN & EC DEV -L

January 5, 2024

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

Subject: Designate March 1st to March 30th to be the Annual 30-day Enrollment Period for Making Additions to Monroe County Agricultural Districts

Honorable Legislators:

I recommend that Your Honorable Body designate March 1st to March 30th to be the annual 30-day enrollment period for making additions to Monroe County's Agricultural Districts.

Section 303-b of the Agriculture and Markets Law requires Your Honorable Body establish an annual 30-day period during which landowners can submit proposals to include land that is predominantly viable agricultural land within a certified agricultural district. Monroe County would begin this addition process by publishing a general notice to make landowners aware of the 30-day submission period. At the end of the 30-day submission period all requests for inclusion will be referred to the Monroe County Agricultural and Farmland Protection Board ("AFPB") for its recommendations. The AFPB then has 30 days to make a recommendation to Your Honorable Body concerning any proposed additions to the state-certified agricultural districts. Upon receipt of the recommendation, Your Honorable Body must hold a public hearing before taking action to adopt or reject the addition of any parcels to any district. A second referral will be submitted to Your Honorable Body after the report of the AFPB to schedule the public hearing and recommend adoption or rejection of the addition of parcels to any district.

The specific legislative actions required are:

1. Designate March 1st to March 30th as the annual 30-day enrollment period for making additions to Monroe County Agricultural Districts.
2. Authorize the Clerk of the Legislature 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.

3. Direct the Monroe County Agricultural and Farmland Protection Board 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.

This is a Type II Action pursuant to 6 NYCRR 617.5(c)(24) (“information collection including basic data collection and research, water quality and pollution studies, traffic counts, engineering studies, surveys, subsurface investigations and soils studies that do not commit the agency to undertake, fund or approve any Type I or Unlisted action”) and is not subject to further review under the State Environmental Quality Review Act.

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

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,



Adam J. Bello
Monroe County Executive



Office of the County Executive

Monroe County, New York

Adam J. Bello
County Executive

January 5, 2024

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

OFFICIAL FILE COPY
No. <u>240014</u>
Not to be removed from the Office of the Legislature Of Monroe County
Committee Assignment
PLAN & EC DEV -L
WAYS & MEANS

Subject: Amend Resolution 449 of 2017 to Increase the Expenditure to Support the Efforts of the Regional Dredging Management Council

Honorable Legislators:

I recommend that Your Honorable Body amend Resolution 449 of 2017 to increase the expenditure to support the efforts of the Regional Dredging Management Council from \$5,000 to up to \$17,500.

The counties of Orleans, Cayuga, Monroe, Niagara, and Wayne (the "Counties") formed the Lake Ontario Regional Dredging Council in 2017 to review, finalize and implement a Small Harbor Dredging Management Plan. Orleans County applied to the New York State Office of Planning and Community Development for a Local Government Efficiency Grant ("Grant") through a New York State Consolidated Funding Application. They were awarded the Grant for \$62,500 and a 50/50 match of \$62,500 is required. Each of the Counties will contribute up to \$12,500 towards the 50/50 match.

The specific legislative action required is to amend Resolution 449 of 2017 to increase the expenditure to support the efforts of the Regional Dredging Management Council from \$5,000 to up to \$17,500.

This action is a Type II Action pursuant to 6 NYCRR § 617.5(c)(24) ("information collection including basic data collection and research, water quality and pollution studies, traffic counts, engineering studies, surveys, subsurface investigations and soils studies that do not commit the agency to undertake, fund or approve any Type I or Unlisted action") and (27) ("conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such action") and is not subject to further review under the State Environmental Quality Review Act.

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

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,

Adam J. Bello
Monroe County Executive



Office of the County Executive

Monroe County, New York

Adam J. Bello
County Executive

January 5, 2024

OFFICIAL FILE COPY
No. <u>240015</u>
Not to be removed from the Office of the Legislature of Monroe County
Committee Assignment
ENV. & PUB. WORKS - I
WAYS & MEANS

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

Subject: Amend Resolution 27 of 2019 to Extend the Time Period of the Grant from the United States Environmental Protection Agency for Coordination of the Rochester Embayment Area of Concern Program

Honorable Legislators:

I recommend that Your Honorable Body amend Resolution 27 of 2019 to extend the time period of the grant from the United States Environmental Protection Agency for Coordination of the Rochester Embayment Area of Concern Program through March 31, 2025.

The purpose of this grant is to support the coordination and implementation of the Rochester Embayment Remedial Action Plan. Monroe County, in partnership with the New York State Department of Environmental Conservation, developed the Stage I and Stage II Remedial Action Plans ("RAP") for the Rochester Embayment of Lake Ontario. Key components of this project include: tracking and documenting remedial activities and progress towards delisting from the United States Environmental Protection Agency ("EPA") list of Areas of Concern designated under the 1987 Great Lakes Water Quality Agreement by means of semi-annual reports; coordinating RAP public participation and the integration of the RAP process with associated groups and participating in the review of the monitoring activities underway for the completed management actions.

Significant supporting work related to the grant has been completed, including remedial actions to successfully remove all 14 Beneficial Use Impairments ("BUIs") as originally identified within the Rochester Embayment Area of Concern. However, Monroe County Department of Public Health has requested and been granted additional time from the EPA to complete all of the steps required to delist the Rochester Embayment as an Area of Concern.

The specific legislative action required is to amend Resolution 27 of 2019 to extend the time period of the grant from the United States Environmental Protection Agency for Coordination of the Rochester Embayment Area of Concern Program through March 31, 2025

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

This grant is 100% funded by the United States Environmental Protection Agency. No net County support is required in the current Monroe County budget.

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,



Adam J. Bello

Monroe County Executive

AJB:db



Office of the County Executive

Monroe County, New York

Adam J. Bello
County Executive

January 5, 2024

OFFICIAL FILE COPY	
No.	240018
Not to be removed from the Office of the Legislature of Monroe County	
Committee Assignment	
HUMAN SERVICES	-L
WAYS & MEANS	

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

Subject: Amend Resolution 89 of 2023 to Accept Additional Funding from 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

Honorable Legislators:

I recommend that Your Honorable Body amend Resolution 89 of 2023 to accept additional funding from the United States Children's Bureau, an Office of the Administration for Children and Families, through a subcontract with the University of Connecticut, in the amount of \$234,195 for Improving Systems and Implementing Interventions to Support Lasting Reunification of Families for the period of January 1, 2023 through September 29, 2025.

By Resolution 89 of 2023, Your Honorable Body authorized the acceptance of a grant from the United States Children's Bureau through a subcontract with University of Connecticut. The award is to develop, integrate and evaluate best practices and innovative interventions that will improve outcomes for children and youth in foster care with a goal of reunification with their parents and families. The additional funding will be used to continue to support this program. The additional funding will bring the grant's total to \$834,195.

The specific legislative actions required are:

1. Amend Resolution 89 of 2023 to accept an additional \$234,195 from, and to authorize the County Executive, or his designee, 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, bringing the total program award to \$834,195 for the period of January 1, 2023 through September 29, 2025.
2. Amend the 2023 operating budget of the Department of Human Services, Division of Social Services by appropriating the sum of \$234,195 into general fund 9300, funds center 5102010000, Child and Family Services Administration.

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

This grant is 100% funded by the United States Children’s Bureau through a subcontract with University of Connecticut. No net County support is required in the current Monroe County budget.

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,



Adam J. Bello
Monroe County Executive

AJB:db



Office of the County Executive

Monroe County, New York

Adam J. Bello
County Executive

January 5, 2024

OFFICIAL FILE COPY
No. 240017
Not to be removed from the Office of the Legislature Of Monroe County
Committee Assignment
INTROV GOV REL -L
ENV. & PUB. WORKS
WAYS & MEANS

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

Subject: Authorize an Intermunicipal Agreement with the City of Rochester to Provide Water Quality Monitoring for the Beach at Durand Eastman Park

Honorable Legislators:

I recommend that Your Honorable Body authorize an intermunicipal agreement with the City of Rochester in an amount not to exceed \$10,000 for Monroe County to provide water quality monitoring for the beach at Durand Eastman Park 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.

Under the terms of the intermunicipal agreement, Monroe County will provide water quality sample collection, analytical services, and interpretation of results. The sampling results from the previous seasons will be used to refine an operational model similar to the one employed at Ontario Beach. The final parameters for the model shall be determined by the Monroe County Department of Public Health and will be used to make decisions on whether to open or close the beach for water quality reasons at Durand Eastman Park. Monroe County will be reimbursed by the City of Rochester on a fee-for-service basis.

The specific legislative action required is to authorize the County Executive, or his designee, 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.

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

This agreement is revenue generating. No additional net County support is required in the current Monroe County budget.

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,
Adam Bello
Adam J. Bello
Monroe County Executive



Office of the County Executive

Monroe County, New York

Adam J. Bello
County Executive

January 5, 2024

OFFICIAL FILE COPY	
No.	240018
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Committee Assignment	
INTRGOV REL	-L
HUMAN SERVICES	
WAYS & MEANS	

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

Subject: Authorize an Intermunicipal Agreement with the City of Rochester for Flower City Public Health Corps Members to Serve in the Monroe County Department of Public Health

Honorable Legislators:

I recommend that Your Honorable Body authorize an intermunicipal agreement with the City of Rochester for Flower City Public Health Corps members to support the Monroe County Department of Public Health for the period of January 1, 2024 through December 31, 2024, with the option to renew for one (1) additional one-year term.

Under this program, City of Rochester AmeriCorps members serving in the Flower City Public Health Corps members will support the Monroe County Department of Public Health's work in the community. Members will receive an overview of the department and then be assigned to a division and program that matches their interests. For example, a member with an interest in logistics could be assigned to the Office of Public Health Preparedness to assist in the planning and execution of a preparedness exercise. A member with an interest in Maternal Child Health could be assigned to the Nurse Family Partnership Program to connect clients with community resources. The final assignment will be dictated by the interest of the Flower City Public Health Corps member and the programmatic needs of the Monroe County Department of Public Health.

The specific legislative action required is to authorize the County Executive, or his designee, 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.

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

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

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,

Adam J. Bello
Monroe County Executive



Office of the County Executive

Monroe County, New York

Adam J. Bello
County Executive

January 5, 2024

OFFICIAL FILE COPY	
No.	240019
Not to be removed from the Office of the Legislature Of Monroe County	
Committee Assignment	
INTRGOV REL	-L
HUMAN SERVICES	
WAYS & MEANS	

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

Subject: Authorize an Intermunicipal Agreement with the City of Rochester to Conduct Primary Lead Poisoning Prevention Activities in City Target Areas for the Childhood Lead Poisoning Prevention Program

Honorable Legislators:

I recommend that Your Honorable Body authorize an intermunicipal agreement with the City of Rochester in an amount not to exceed \$310,000 to conduct primary lead poisoning prevention activities in City target areas for the period of January 1, 2024 through December 31, 2024.

This contract will support the County's Childhood Lead Poisoning Prevention Program. The City of Rochester will conduct primary lead poisoning prevention activities in City target areas, including: visual lead inspections, dust wipe sampling, and clearance testing following lead hazard control activities.

The specific legislative action required is to authorize the County Executive, or his designee, 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.

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

Funding for this contract is included in the 2024 operating budget of the Department of Public Health, general fund 9001, funds center 5806110000, Lead Programs. No additional net County support is required in the current Monroe County budget.

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,

Adam J. Bello
Monroe County Executive

AJB:db



Office of the County Executive

Monroe County, New York

Adam J. Bello
County Executive

January 5, 2024

OFFICIAL FILE COPY	
No.	240020
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Committee Assignment	
HUMAN SERVICES	-L
WAYS & MEANS	

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

Subject: Authorize Agency Contracts with Finger Lakes Health Systems Agency d/b/a Common Ground Health and RORecovery Fitness, Inc. for the Monroe County Department of Public Health Addiction Services Program

Honorable Legislators:

I recommend that Your Honorable Body authorize agency contracts with Finger Lakes Health Systems Agency d/b/a Common Ground Health in an amount not to exceed \$68,000 and RORecovery Fitness, Inc. 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 based on available funding and services to be provided for the Monroe County Department of Public Health Addiction Services Program.

These agencies will support the work of the Addiction Services Division in naloxone distribution, opioid education, linkage to medication-assisted treatment, training, behavioral health supports, community resource connection, overdose follow-up care, peer support, safe drug disposal practices, data collection, data analysis, and peer workforce development.

A Request for Proposals was issued, with Finger Lakes Health Systems Agency d/b/a Common Ground Health and RORecovery Fitness, Inc. selected as the most qualified to provide these services.

The specific legislative actions required are:

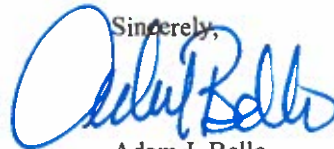
1. Authorize the County Executive, or his designee, to execute a contract, and any amendments thereto, with Finger Lakes Health Systems Agency d/b/a Common Ground Health, 1150 University Avenue, Rochester, New York 14607, to provide Naloxone distribution and opioid education through community business 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.
2. Authorize the County Executive, or his designee, to execute a contract, and any amendments thereto, with RORecovery Fitness, Inc., 1035 Dewey Avenue, Rochester, New York 14613, 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.

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

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

The records in the office of the Monroe County Treasury have indicated that Finger Lakes Health Systems Agency d/b/a Common Ground Health and ROCoverly Fitness, Inc., each of which are not-for-profit entities, do not owe any delinquent Monroe County property taxes.

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,


Adam J. Bello
Monroe County Executive

AJB:db



Office of the County Executive

Monroe County, New York

Adam J. Bello
County Executive

OFFICIAL FILE COPY	
No.	240021
Not to be removed from the Office of the Legislature Of Monroe County	
Committee Assignment	
HUMAN SERVICES	-L
WAYS & MEANS	

January 5, 2024

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

Subject: Authorize a Contract with Dentserv Dental Services, PC to Provide Dental Services for Residents of Monroe Community Hospital

Honorable Legislators:

I recommend that Your Honorable Body authorize a contract with DentServ Dental Services, P.C. in a total amount not to exceed \$915,000 to provide dental services for residents of Monroe Community Hospital ("MCH") 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%.

To ensure appropriate dental care of its residents, it is necessary that MCH contract with a vendor that is able to provide dentists, dental technicians, hygienists, and dental assistants as necessary to perform routine patient examinations, provide care for other dental conditions, and consultation to MCH. The provider must deliver services in accordance with regulatory requirements, resident needs, and professional standards of practice. DentServ Dental Services, P.C. currently provides these services.

A Request for Proposals was issued, with DentServ Dental Services, P.C. being the sole respondent.

The specific legislative action required is to authorize the County Executive, or his designee, to execute a contract, and any amendments thereto, with DentServ Dental Services, P.C., 15 Canal Road, Pelham Manor, New York 10803, 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%.

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

Funding for the first year of this contract 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. No additional net County support is required in the current Monroe County budget.

The records in the Office of the Monroe County Treasury have indicated that neither DentServ Dental Services, P.C., nor any of its principal officers owe any delinquent Monroe County property taxes. The principal officers of the firm are:

Dr. Martin Cukier, President (sole owner of company)
Gregg Salzman, Chief Operating Officer

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,


Adam J. Bello
Monroe County Executive



Office of the County Executive

Monroe County, New York

Adam J. Bello
County Executive

January 5, 2024

OFFICIAL FILE COPY	
No.	240922
Not to be removed from the Office of the Legislature Of Monroe County	
Committee Assignment	
HUMAN SERVICES	-L
WAYS & MEANS	

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

Subject: Authorize Contracts to Provide Temporary Nursing Staff at Monroe Community Hospital

Honorable Legislators:

I recommend that Your Honorable Body authorize contracts 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.

Monroe Community Hospital must maintain adequate staffing for patient care. These contracts will provide for temporary relief services needed to cover absences due to illness, injury on duty, vacations and job vacancies for certified nursing assistants, licensed practical nurses, and registered nurses at the Hospital. The necessity of having a number of temporary agencies to provide nursing personnel is crucial in order to assure proper staffing is met at all times.

A Request for Qualifications was issued for these services, 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. rated the most qualified.

The specific legislative action required is to authorize the County Executive, or his designee, to execute contracts, and any amendments thereto, with Adecco Medical & Science Staffing, Inc., 1890 South Winton Road, Suite 150, Rochester, New York 14618, Battle Licensed Practical Nursing, PLLC, 215 South Main Street, Newark, New York 14513, Clinical Staffing Resources Corp., 420 Broadway, 3rd Floor, Brooklyn, New York 11211, Cross Country Staffing, Inc. (d/b/a Cross Country Healthcare Services), 6551 Park of Commerce Boulevard, Boca Raton, Florida 33487, Excel Staffing Solutions, LLC, 50 Bernar Park, Suite 6, Rochester, New York 14624, and Maxim Healthcare Staffing Services, Inc., 500 Seneca Street, Suite 610, Buffalo, New York 14204, 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.

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

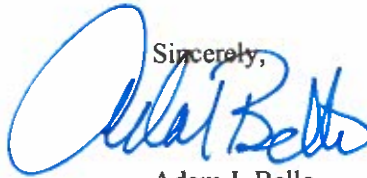
This action is a Type II Action pursuant to 6 NYCRR § 617.5(c)(26) ("routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment") and is not subject to further review under the State Environmental Quality Review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

The records in the Office of the Monroe County Treasury have indicated that neither 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, Maxim Healthcare Staffing Services, Inc., nor any of their principal officers, owe any delinquent Monroe County Property taxes. The principal officers of the firms are:

Adecco Medical & Science Staffing, Inc.: Publicly Traded Company (ISIN: CH0012138605)
Battle Licensed Practical Nursing, PLLC: Robert L. Battle, Jr., Owner
Clinical Staffing Resources Corp.: Daniel Weinberger, Owner and President
Cross Country Staffing Inc.: Publicly-held C-Corporation (NASDAQ: CCRN)
Excel Staffing Solutions, LLC.: Kelly Shamp, Owner and President
Maxim Healthcare Staffing Services, Inc.: Bill Butz, President, Adam Gier, Business Development Manager

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,



Adam J. Bello
Monroe County Executive



Office of the County Executive

Monroe County, New York

Adam J. Bello
County Executive

OFFICIAL FILE COPY
No. 240023
Not to be removed from the Office of the Legislature of Monroe County
Committee Assignment
HUMAN SERVICES -L
WAYS & MEANS

January 5, 2024

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

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

Honorable Legislators:

I recommend that Your Honorable Body accept a grant from the New York State Office for the Aging in the amount of \$50,028 for the Medicare Improvements for Patients and Providers Act for the period of September 1, 2023 through August 31, 2024 and authorize a contract with Lifespan of Greater Rochester, Inc. in an amount not to exceed \$45,756 for the period of September 1, 2023 through August 31, 2024 to administer the Medicare Improvements for Patients and Providers Act services.

This funding will be used by the Monroe County Office for the Aging to increase the number of older adults, informal family caregivers, and area providers' understanding of Medicaid, Medicare and other health insurance options. In addition, these funds will be used to help eligible older adults apply for Medicare Part B and Part D to lower their health insurance costs. This is the fourteenth year Monroe County has received funding for this grant. This year's funding represents an increase of \$3,857 from last year.

A request for proposals was issued for these services, with Lifespan of Greater Rochester, Inc. rated the most qualified.

Please refer to the attached Purchase of Service Information form for disclosure of information required pursuant to Resolution 223 of 2007, as amended by Resolution 11 of 2008.

The specific legislative actions required are:

1. Authorize the County Executive, or his designee, 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.

2. Authorize the County Executive, or his designee, to execute a contract, and any amendments thereto, with Lifespan of Greater Rochester, Inc., 1900 South Clinton Avenue, Rochester, NY 14618, 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.
3. Authorize the County Executive 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.
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.

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

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

Lifespan of Greater Rochester, Inc. is a not-for-profit agency and the records in the Office of the Monroe County Treasury have indicated that they do not owe any delinquent Monroe County property taxes.

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,



Adam J. Bello
Monroe County Executive

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 Fornof, 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.



Office of the County Executive

Monroe County, New York

Adam J. Bello
County Executive

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No. 240024
Not to be removed from the
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Legislature Of
Monroe County
Committee Assignment
TRANSPORTATION -L
WAYS & MEANS

January 5, 2024

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

Subject: Authorize a Contract with CP Ward, Inc. for Construction Services for the Aldrich Road Culvert Project in the Town of Perinton

Honorable Legislators:

I recommend that Your Honorable Body authorize a contract 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.

This project involves replacement of a box culvert on Aldrich Road over White Brook Tributary. The work involves removal of the existing culvert and replacement with a new precast concrete box culvert. Installation of new asphalt pavement, bridge railing, and pavement markings will also be completed. In addition, during the design for the Aldrich Road Culverts project, the Town of Perinton requested having the culvert extended in order to install sidewalk along Aldrich Road, and will reimburse the County for the appropriate costs relating to this work. The current schedule is to start work in spring 2024 with an anticipated completion by fall 2024.

The following five (5) bids were received on November 30, 2023:

Table with 2 columns: Bidder Name and Bid Amount. Includes CP Ward, Inc. (\$1,286,228.84), Rochester Earth, Inc. (\$1,331,753.00), Seneca Stone Corp. (\$1,430,000.00), Keeler Construction Co. Inc. (\$1,443,258.00), and Villager Construction, Inc. (\$1,529,224.10).

The bids have been reviewed and CP Ward, Inc. has been determined to be the lowest responsible bidder pursuant to General Municipal Law §103.

The specific legislative action required is to authorize the County Executive, or his designee, to execute a contract, and any amendments thereto, with CP Ward, Inc., 100 West River Road, PO Box 900, Scottsville, New York 14546, in the amount of \$1,286,228.84 for construction services for the Aldrich Road Culvert Project in the Town of Perinton.

This action is an Unlisted Action under the New York State Environmental Quality Review Act ("SEQRA"). Pursuant to Resolution 338 of 2023, the Monroe County Legislature issued a Negative Declaration for this action. No further action under SEQRA is required.

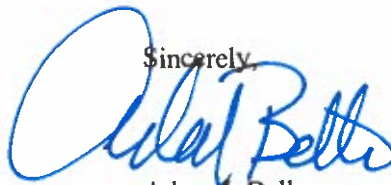
Funding for this contract, consistent with authorized uses, is included in the 2024 operating budget of the Department of Transportation, road fund 9002, funds center 8002050000, State Supported Consolidated Local Street and Highway Improvement Program. No additional net County support is required in the current Monroe County budget.

The records in the office of the Monroe County Treasury have indicated that neither CP Ward, Inc., nor any of its principal officers, owe any delinquent Monroe County property taxes. The principal officers of the firm are:

Kenneth A. Stewart, President, Treasurer
Steven K. Phillips, Executive Vice President, Secretary
Daniel C. Ayers, Vice President

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,



Adam J. Bello
Monroe County Executive



Office of the County Executive

Monroe County, New York

Adam J. Bello
County Executive

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No.	<u>240025</u>
Not to be removed from the Office of the Legislature Of Monroe County	
Committee Assignment	
PUBLIC SAFETY	-L
WAYS & MEANS	

January 5, 2024

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

Subject: Acceptance of a Grant from the United States Department of Justice, Office of Justice Programs, for the 2023 DNA Capacity Enhancement Program

Honorable Legislators:

I recommend that Your Honorable Body accept a grant from the United States Department of Justice, Office of Justice Programs in the amount of \$526,741 for the 2023 DNA Capacity Enhancement Program for the period of October 1, 2023 through September 30, 2025.

The purpose of the DNA Capacity Enhancement Program is to increase the capabilities of the Monroe County Crime Laboratory DNA analysis section by providing supplies for casework, mandatory continuing education in human identification science, maintenance of equipment and for expenses related to the continued accreditation of the Laboratory. This program allows the Laboratory to continue to provide timely services to the region's law enforcement community and judicial system. This is the eighteenth year that the County has received this grant. This year's funding represents an increase of \$42,474 from the previous grant.

The specific legislative actions required are:

1. Authorize the County Executive, or his designee, 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.
2. Amend the 2023 operating budget of the Department of Public Safety by appropriating the sum of \$526,741 into general fund 9300, funds center 2408040100, Monroe County Crime Laboratory.
3. Authorize the County Executive 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.

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

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

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.

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

This grant is 100% funded by the United States Department of Justice, Office of Justice Programs. No net County support is required in the current Monroe County budget.

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,



Adam J. Bello
Monroe County Executive

AJB:db



Office of the County Executive

Monroe County, New York

Adam J. Bello
County Executive

OFFICIAL FILE COPY	
No.	<u>240026</u>
Not to be removed from the Office of the Legislature Of Monroe County	
Committee Assignment	
PUBLIC SAFETY	-L
WAYS & MEANS	

January 5, 2024

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

Subject: Acceptance of a Grant from the New York State Division of Homeland Security and Emergency Services for the 2023 Public Safety Answering Points Operations Grant Program

Honorable Legislators:

I recommend that Your Honorable Body accept a grant from the New York State Division of Homeland Security and Emergency Services in the amount of \$229,967 for the 2023 Public Safety Answering Points ("PSAP") Operations Grant Program for the period of January 1, 2023 through December 31, 2023.

The New York State Division of Homeland Security and Emergency Services, through its Office of Interoperable and Emergency Communications, has been designated to administer a grant program to support counties' public safety call-taking and dispatching expenses. The PSAP Operations Grant provides reimbursement to counties for general operating expenses and will be utilized to offset existing 911 staff salary and benefits. This is the ninth year the County has received this grant. This year's funding represents a decrease of \$10,968 from last year's grant award.

The specific legislative actions required are:

1. Authorize the County Executive, or his designee, 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 January 1, 2023 through December 31, 2023.
2. Authorize the County Executive 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.

3. 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.


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

Funding for 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.

This grant is 100% funded by the New York State Division of Homeland Security and Emergency Services. No net County support is required in the current Monroe County budget.

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,



Adam J. Bello
Monroe County Executive

AJB:db



Office of the County Executive

Monroe County, New York

Adam J. Bello
County Executive

January 5, 2024

OFFICIAL FILE COPY
No. <u>240J27</u>
Not to be removed from the Office of the Legislature Of Monroe County
Committee Assignment
PUBLIC SAFETY -L
WAYS & MEANS

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

Subject: Authorize a Contract with Tectonic Engineering Consultants, Geologists & Land Surveyors, D.P.C. for Professional Design Services for the Public Safety Radio Communication Towers Structural Inspection Project

Honorable Legislators:

I recommend that Your Honorable Body authorize a contract 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.

The Monroe County Department of Public Safety utilizes approximately 24 towers to maintain a reliable county-wide, first responder communications network. These towers are multi-leg lattice structures or monopoles. Equipment is housed in on-site shelters or adjacent buildings. Each site has standby generator capacity.

Professional design services are required for structural, civil, site, mechanical, electrical and electronics engineering assessments. Any system or component of a public safety tower site, such as the tower, shelter, fencing, grounding systems, security systems, grading/landscaping, and standby generators, will be assessed and inspected as part of this project.

A Request for Proposals was issued with Tectonic Engineering Consultants, Geologists & Land Surveyors, D.P.C. selected as the most qualified to provide these services.

The specific legislative action required is to authorize the County Executive, or his designee, to execute a contract, and any amendments thereto, with Tectonic Engineering Consultants, Geologists & Land Surveyors, D.P.C., 3495 Winton Place, Rochester, New York 14623 for a total annual amount not to exceed \$51,314 for professional design services for the Public Safety Radio Communication Towers Structural Inspection Project.

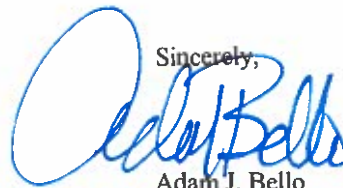
This action is a Type II Action pursuant to 6 NYCRR § 617.5(c)(2) ("replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building, energy, or fire codes unless such action meets or exceeds any of the thresholds in section 617.4 of this Part;"); (24) ("information collection including basic data collection and research, water quality and pollution studies, traffic counts, engineering studies, surveys, subsurface investigations and soils studies that do not commit the agency to undertake, fund or approve any Type I or Unlisted action"); (26) ("routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment"); and (27) ("conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such action") and is not subject to further review under the State Quality Review Act.

Funding for this contract, consistent with authorized uses, is included in 2024 Operating Budget of the Department of Public Safety, general fund 9300, funds center 2406010000, Public Safety Communications. No additional net County support is required in the current Monroe County budget.

The records in the Office of the Monroe County Treasury have indicated that neither Tectonic Engineering Consultants, Geologists & Land Surveyors, D.P.C., nor any of its principal officers, owe any delinquent Monroe County property taxes. The principal officers of the firm are:

Donald A. Benvie, President and CEO
Edward F. Martella, Vice President

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,


Adam J. Bello
Monroe County Executive

AJB:db



Office of the County Executive

Monroe County, New York

Adam J. Bello
County Executive

January 5, 2024

OFFICIAL FILE COPY
No. <u>240028</u>
Not to be removed from the Office of the Legislature Of Monroe County
Committee Assignment
PUBLIC SAFETY -L
WAYS & MEANS

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

Subject: Amend Resolution 39 of 2021 to Accept Additional Funding from the United States Bureau of Alcohol, Tobacco, Firearms and Explosives for the ATF-Monroe County Sheriff's Office Firearm/Explosive Task Force

Honorable Legislators:

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

I recommend that Your Honorable Body amend Resolution 39 of 2021 to accept additional funding from the United States Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF") for the ATF-Monroe County Sheriff's Office Firearm/Explosive Task Force in the amount of \$50,000 for the reimbursement of overtime for the period of October 1, 2019 through September 30, 2024.

This grant continues to support the collaborative task force with the ATF to assist ATF in the investigation of explosives incidents and firearms in the Monroe County area. The funds will be used to pay a portion of the costs incurred by the Sheriff's Office for overtime. This is the seventh year the County has received this grant. This additional funding will bring the grant total to \$105,000.

The specific legislative actions required are:

1. Amend Resolution 39 of 2021 to accept an additional \$50,000 from, and to authorize the County Executive, or his designee, to execute a contract and any amendments thereto, with the United States Bureau of Alcohol, Tobacco, Firearms and Explosives for the reimbursement of overtime for the ATF-Monroe County Sheriff's Office Firearm/Explosive Task Force for the period of October 1, 2019 through September 30, 2024.

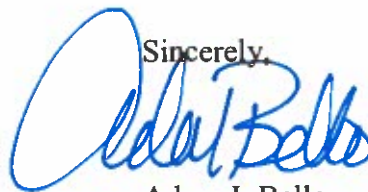
2. Amend the 2023 operating budget of the Office of the Sheriff by appropriating the sum of \$50,000 into general fund 9300, funds center 3803010000, Police Bureau Administration.

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

This grant is 100% funded by the United States Bureau of Alcohol, Tobacco, Firearms and Explosives. No additional net County support is required in the current Monroe County budget.

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,



Adam J. Bello
Monroe County Executive



Office of the County Executive

Monroe County, New York

Adam J. Bello
County Executive

January 5, 2024

OFFICIAL FILE COPY
No. <u>240029</u>
Not to be removed from the Office of the Legislature of Monroe County
Committee Assignment
PUBLIC SAFETY -L
WAYS & MEANS

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

Subject: Acceptance of a Grant from the United States Department of Justice-Drug Enforcement Administration for the Drug Enforcement Administration Task Force

Honorable Legislators:

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

I recommend that Your Honorable Body accept a grant from the United States Department of Justice, Drug Enforcement Administration (“DEA”) in an amount not to exceed \$20,707.50 for the reimbursement of overtime for the DEA Task Force for the period of October 1, 2023 through September 30, 2024.

This grant will support a collaborative task force with the DEA to investigate, apprehend, and arrest narcotic traffickers. The grant will reimburse overtime costs associated with the task force services. This will be the sixth time the County has received this funding. This year’s funding represents an increase of \$866.75 from last year.

The specific legislative actions required are:

1. Authorize the County Executive, or his designee, 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.

2. Amend the 2023 operating budget of the Office of the Sheriff by appropriating the sum of \$20,707.50 into fund 9300, funds center 3803010000, Police Bureau Administration.
3. Authorize the County Executive 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.
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.

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

This grant is 100% funded by the United States Department of Justice, Drug Enforcement Administration. No additional net County support is required in the current Monroe County budget.

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,


Adam J. Bello
Monroe County Executive



Office of the County Executive

Monroe County, New York

Adam J. Bello
County Executive

OFFICIAL FILE COPY	
No.	<u>240030</u>
Not to be removed from the Office of the Legislature Of Monroe County	
Committee Assignment	
WAYS & MEANS	-L

January 5, 2024

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

Subject: Accept Proceeds from the City of Rochester's Auction of Unclaimed Stolen Property and Amend the 2024 Operating Budget

Honorable Legislators:

This matter is being referred to Your Honorable Body at the request of Sheriff Todd K. Baxter and District Attorney Sandra Doorley.

I recommend that Your Honorable Body accept proceeds from the City of Rochester's auction of unclaimed stolen property and appropriate those funds in the 2024 operating budget in the amount of \$71,493.79.

The unclaimed stolen property was acquired in 2019 when several search warrants were executed in the City of Rochester and Town of Greece in connection to a long-term pawnshop investigation. The proceeds from the auction are considered donated funds because the items were signed over to the City of Rochester by retailers. This is the first time the Sheriff's Office and District Attorney's Office have received auction funds from the City of Rochester for unclaimed stolen property.

The specific legislative actions required are:

1. Accept 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.
2. Amend the 2024 operating budget of the Office of the Sheriff by appropriating restricted fund balance in the amount of \$43,996.18 into general fund 9001, funds center 3803010000, Police Bureau Administration.

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

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

This action is revenue generating. No net County support is required in the current Monroe County budget.

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,



Adam J. Bello
Monroe County Executive



Office of the County Executive

Monroe County, New York

Adam J. Bello
County Executive

January 5, 2024

OFFICIAL FILE COPY
No. <u>240031</u>
Not to be removed from the Office of the Legislature Of Monroe County
Committee Assignment
WAYS & MEANS -L

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

Subject: Authorize a Contract with Matrix Pointe Software, LLC for a Case Management System for the Monroe County Law Department

Honorable Legislators:

I recommend that Your Honorable Body authorize a contract with Matrix Pointe Software, LLC ("Matrix") in an amount not to exceed \$600,000 for a Case Management System for the Monroe County Law Department for a term not to exceed five (5) years.

The Monroe County Law Department currently uses a number of data collection systems from basic Excel spreadsheets to purchased case management systems. The current case management software was purchased in 2011 and no longer addresses the department's needs. Through Matrix's system, the Law Department will be able to track the status of case files, track the status of payments, generate and manage documents, and facilitate e-discovery. Matrix focuses on public sector organizations and is uniquely positioned to provide a unified case management and document management system across all six divisions of the Law Department.

A Request for Proposals was issued, with Matrix Pointe Software, LLC selected as the most qualified to provide these services.

The specific legislative action required is to authorize the County Executive, or his designee, to execute a contract and any amendments thereto, with Matrix Pointe Software, LLC, 30400 Detroit Road, Suite 400, Cleveland, Ohio 44145, in an amount not to exceed \$600,000 for a term not to exceed five (5) years.

This action is a Type II Action pursuant to 6 NYCRR § 617.5(c)(26) ("routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment") and (31) ("purchase or sale of furnishings, equipment or supplies, including surplus government property, other than the following: land, radioactive material, pesticides, herbicides, or other hazardous materials") and is not subject to further review under the State Environmental Quality Review Act.

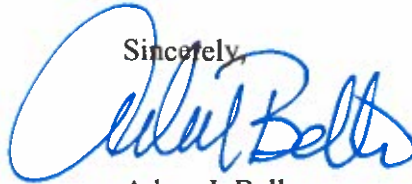
Funding for the first year of this case management system is included in the 2024 Operating Budget of the Law Department, general fund 9001, funds center 1601010000 and will be requested in future years' budgets.

The records in the Office of the Monroe County Treasury have indicated that neither Matrix Pointe Software, LLC, nor its officers owe any delinquent Monroe County property taxes. The principal officers are:

Joseph J. Whang, Chief Executive Officer
Thomas Coury, Chairman and Chief Software Architect

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,



Adam J. Bello
Monroe County Executive

AJB:db



Office of the County Executive

Monroe County, New York

Adam J. Bello
County Executive

January 5, 2024

OFFICIAL FILE COPY	
No.	<u>240032</u>
Not to be removed from the Office of the Legislature Of Monroe County	
Committee Assignment	
WAYS & MEANS	-L

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

Subject: Authorize a Contract with Rel Comm, Inc. for Phone System Licensing and Support

Honorable Legislators:

I recommend that Your Honorable Body authorize a contract 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.

The purpose of this contract is to provide complete phone and voicemail systems support including all integrated products to Monroe County users with the exception of Monroe Community Hospital. It also provides Software Assurance for the phone system and voicemail system software licensing.

A Request for Qualifications was issued for this contract and Rel Comm, Inc. was rated the most qualified to provide this service.

The specific legislative action required is to authorize the County Executive, or his designee, to execute a contract, and any amendments thereto, with Rel Comm, Inc., 250 Cumberland Street, Rochester, New York 14605, 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.


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

Funding for 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 Services Grants. No additional net County support is required in the current Monroe County budget.

The records in the Office of the Monroe County Treasury have indicated that neither Rel Comm, Inc., nor any of its principal officers, owe any delinquent Monroe County property taxes. The principal officers of the firm are:

Bob Murray, CEO
Joe Marasco, President
Kelly Kaye, CFO

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,

Adam J. Bello
Monroe County Executive

AJB:db



Office of the County Executive

Monroe County, New York

Adam J. Bello
County Executive

January 5, 2024

OFFICIAL FILE COPY
No. <u>240033</u>
Not to be removed from the Office of the Legislature Of Monroe County
Committee Assignment
PUBLIC SAFETY -L
WAYS & MEANS

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

Subject: Acceptance of the Aid to Defense Grant from New York State Division of Criminal Justice Services for the Office of the Public Defender

Honorable Legislators:

This matter is being referred to Your Honorable Body at the request of Monroe County Public Defender Julie Cianca.

I recommend that Your Honorable Body accept a grant from the New York State Division of Criminal Justice Services in the amount of \$245,086 for the Aid to Defense ("ATD") Program for the Office of the Public Defender for the period of April 1, 2023 through March 31, 2024.

The ATD Grant program provides expedited felony case processing through the judicial system by funding part or all of the salary costs to three (3) full-time positions in the Public Defender's Office. This will be the fortieth year the County has received this grant. This year's funding is the same amount received in last year's award.

The specific legislative actions required are:

1. Authorize the County Executive, or his designee, 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.
2. Amend the 2023 operating budget of the Public Defender's Office by appropriating the sum of \$245,086 into general fund 9001, funds center 2601010000, Office of The Public Defender.

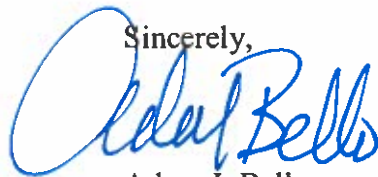
3. Authorize the County Executive to appropriate any subsequent years of the grant award in accordance with the grant terms, to reappropriate any unencumbered balances during the grant period according to the grantor requirements, to make any necessary funding modifications within the grant guidelines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

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

This grant is 100% funded by the New York State Division of Criminal Justice Services. No additional net County support is required in the current Monroe County budget.

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,



Adam J. Bello

Monroe County Executive

AJB:db



Office of the County Executive

Monroe County, New York

Adam J. Bello
County Executive

January 5, 2024

OFFICIAL FILE COPY
No. <u>240034</u>
Not to be removed from the Office of the Legislature Of Monroe County
Committee Assignment
AGENDA/CHARTER - L
ENV. & PUB. WORKS

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

Subject: Enact a Local Law 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

Honorable Legislators:

I recommend that Your Honorable Body enact a Local Law 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.

Except for the name, address and contact person, all the terms and conditions of each of the Airline-Airport Use and Lease Agreements and the amendment thereto are the same.

The amendment of the Airline-Airport Use and Lease Agreements was approved by Resolution No. 9 of 2023 by the Monroe County Airport Authority at its meeting on May 17, 2023.

American Airlines, Inc. Delta Air Lines, Inc., Federal Express Corporation, JetBlue Airways Corporation, Southwest Airlines Co., and United Airlines, Inc. are publicly traded companies or owned by a publically traded company.

The specific legislative actions required are:

1. Schedule and hold a public hearing on the proposed Local Law.
2. Authorize the County Executive, or his designee, to enter into an Airline-Airport Use and Lease Agreement Amendments, and any amendments thereto, on behalf of the Monroe County Airport Authority, 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, 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.

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- 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.

This action is a Type II Action pursuant to 6 NYCRR § 617.5 (c)(32) (“license, lease and permit renewals, or transfers of ownership thereof, where there will be no material change in permit conditions or the scope of permitted activities”) and is not subject to further review under the State Environmental Quality Review Act.

This Airline-Airport Use and Lease Agreements, as amended, continue to be revenue generating to the Monroe County Airport Authority, and no County support is required in the current Monroe County budget.

The records in the office of the Monroe County Treasury have indicated that neither American Airlines, Inc. Delta Air Lines, Inc., Federal Express Corporation, JetBlue Airways Corporation, Southwest Airlines Co., and United Airlines, Inc. nor any of their principal officers, owe any delinquent Monroe County property taxes. The principal officers of each of the Airlines are:

American Airlines, Inc.

Robert Isom, Chief Executive Officer
Devon May, Chief Financial Officer
Priya Aiyar, Chief Legal Officer

Delta Air Lines, Inc.

Ed Bastian, Chief Executive Officer & Director
Glen Hauenstein, President
Dan Janki, Executive Vice President-Chief of Operations
John E. Laughter, Chief Operating Officer & Executive Vice President

Federal Express Corporation

Frederick W. Smith, Chairman & Chief Executive Officer
Rajesh Subramaniam, President & Chief Operating Officer
Michael Lenz, Executive Vice President and Chief Financial Officer
Mark Allen, Executive Vice President, General Counsel & Secretary

JetBlue Airways Corporation

Robin Hayes, Chief Executive Officer
Joanna Geraghty, President & Chief Operating Officer
Ursula Hurley, Chief Financial Officer
Al Spencer, Vice President – Chief Accounting Officer
Joanna Geraghty, President and Chief Operating Officer

Southwest Airlines Co.

Robert E. Jordan, President & Chief Executive Officer
Andrew Watterson, Chief Operating Officer
Ryan Green, Executive Vice President & Chief Commercial Officer
Gary Kelly, Chairman

United Airlines, Inc.

Brett J. Hart President
J. Scott Kirby Chief Executive Officer & Director
Torbjorn J. Enqvist Chief Operations Officer & Executive VP

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,


Adam J. Bello
Monroe County Executive

AJB:db

By Legislators _____ and _____

Intro. No. ____

LOCAL LAW NO. __ OF 2024

ENACTING 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, 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, 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.

File No. 24-_____.LL

ADOPTION: Date: _____

Vote: _____

ACTION BY THE COUNTY EXECUTIVE

APPROVED: _____ VETOED: _____

SIGNATURE: _____ DATE: _____

EFFECTIVE DATE OF LOCAL LAW: _____



Office of the County Executive

Monroe County, New York

Adam J. Bello
County Executive

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No.	240035
Not to be removed from the Office of the Legislature of Monroe County	
Committee Assignment	
HUMAN SERVICES	-I-
WAYS & MEANS	

January 5, 2024

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

Subject: Acceptance of a Grant from the New York State Department of Health for Increasing Training Capacity in Statewide Healthcare Facilities

Honorable Legislators:

I recommend that Your Honorable Body accept a grant from the New York State Department of Health in a total amount not to exceed \$878,756 for Increasing Training Capacity in Statewide Healthcare Facilities at Monroe Community Hospital ("MCH") for the period of October 1, 2023 through September 30, 2025.

This grant was awarded based on the need to rebuild and grow the healthcare workforce with programs designed to improve the career pipeline, expand access to healthcare training and education, and to recruit care workers to underserved areas, as a direct result of the COVID-19 pandemic and the continuing and existing healthcare professional shortages in New York State. This opportunity is intended to support projects that fulfill the goal of increasing the training capacity of healthcare facilities with the goal of supporting healthcare facilities to prepare, mentor, and train a steady pipeline of high-quality healthcare professionals.

The specific legislative actions required are:

1. Authorize the County Executive, or his designee, 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 Statewide Healthcare Facilities at Monroe Community Hospital for the period of October 1, 2023 through September 30, 2025.
2. Amend the 2024 operating budget of Monroe Community Hospital by appropriating the sum of \$878,756 into hospital fund 9312, funds center 6201010000, Administration.

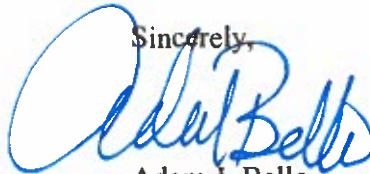
3. Authorize the County Executive to appropriate any subsequent years of the grant award in accordance with the grant terms, to reappropriate any unencumbered balances during the grant period according to the grantor requirements, to make any necessary funding modifications within the grant guidelines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

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

This grant is 100% funded by the New York State Department of Health. No net County support is required in the current Monroe County budget.

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,



Adam J. Bello
Monroe County Executive



Office of the County Executive

Monroe County, New York

Adam J. Bello
County Executive

January 5, 2024

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Committee Assignment	
HUMAN SERVICES	-L
WAYS & MEANS	

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

Subject: Acceptance of a Grant from the New York State Office of Children and Family Services for the Safe Harbour Initiative for 2024

Honorable Legislators:

I recommend that Your Honorable Body accept a grant from the New York State Office of Children and Family Services ("OCFS") in the amount of \$40,000 for the Safe Harbour Initiative for 2024 ("Safe Harbour") for the period of January 1, 2024 through December 31, 2024.

This award will be used to continue the established efforts of Safe Harbour such as short-term safe housing that offers 24-hour crisis intervention, medical care, advocacy, and other services to underage victims of human trafficking within Monroe County. The Center for Youth Services will continue to be the lead agency for this grant after its demonstrated successful collaboration with Monroe County during the partnership's 6 year pilot program, and initial year of "NYS Graduate Community" status. Monroe County has been recognized as a statewide leader with Safe Harbour and has shared it's successes with new piloting counties.

The Department of Human Services will continue to assign the Rochester-Monroe County Youth Bureau Executive Director to be its representative who will serve as County liaison to the OCFS Statewide Steering Committee and to provide inter-agency collaborative support and guidance for sustainable implementation of the Safe Harbour Plan. Training will be provided to teach the skills and tools necessary to ensure that child victims are properly identified, referred, and receive the appropriate specialized services to which they are entitled by law. This is the eleventh year the County has received this grant. This year's funding represents a decrease of \$3,350 from last year.

The specific legislative actions required are:

1. Authorize the County Executive, or his designee, 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.

2. Amend the 2024 operating budget of the Department of Human Services, Division of Social Services, by appropriating the sum of \$40,000 into fund 9300, funds center 5102010000, Child and Family Services Administration.
3. Authorize the County Executive 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.
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.

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

This grant is 100% funded by the New York State Office of Children and Family Services. No net County support is required in the current Monroe County budget.

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,



Adam J. Bello
Monroe County Executive

AJB:db



Office of the County Executive

Monroe County, New York

Adam J. Bello
County Executive

January 5, 2024

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No.	<u>240037</u>
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Committee Assignment	
WAYS & MEANS	-L

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

Subject: Authorize a Contract with Info Quick Solutions, Inc. for the Installation and Operation of an Integrated County Clerk's Records Management System

Honorable Legislators:

This matter is being referred to Your Honorable Body at the request of Monroe County Clerk Jamie Romeo.

I recommend that Your Honorable Body authorize a contract with Info Quick Solutions, Inc. ("IQS") in an amount not to exceed \$600,000 for the installation and data migration of an Integrated County Clerk's 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.

The County Clerk's Records Management system is a unified system that handles all the cashiering, indexing, scanning, and verification of documents. In addition, it also serves as the main accounting tool for finances managed by the County Clerk's Office.

IQS's proposal includes project management, data conversion, training, implementation of the new records management system along with the continued monthly support and maintenance following installation. This proposal also provides for offsite backup and disaster recovery. In addition, IQS will provide additional support in the full data conversions and consolidation of pistol permit records, migrating three (3) separate sets of data into one. IQS is currently owned and operated in Syracuse, New York, and currently serves 35 other New York County Clerk offices.

An updated records management system will provide for many efficiencies in the management of land, court, and pistol permit records. In addition, new functionality will allow for additional electronic integrations between the County Clerk's Office, New York State Tax & Finance Department, Monroe County Real Property Office, Monroe County Sheriff's Office and Rochester Police Department to provide more efficient and secure methods of processing transactions and file management.

A Request for Proposals was issued for the installation of an Integrated Records Management System and IQS was selected as the most qualified to provide this service.

The specific legislative action required is to authorize the County Executive, or his designee, to execute a contract, and any amendments thereto, with Info Quick Solutions, Inc., 7460 Morgan Road, Liverpool, New York 13090, 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.

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

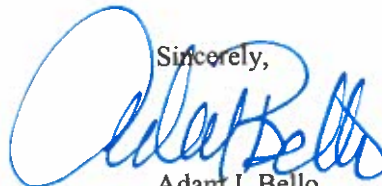
This action is a Type II Action pursuant to 6 NYCRR § 617.5(c)(26) ("routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment") and is not subject to further review under the State Environmental Quality Review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

The records in the Office of the Monroe County Treasury have indicated that neither Info Quick Solutions, Inc. nor any of its principal officers, owe any delinquent Monroe County Property taxes. The principal officers are:

Bernard Owens, President, Treasurer
Brian Owens, Vice President
Christine Lohr, Secretary

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,



Adam J. Bello
Monroe County Executive



Office of the County Executive

Monroe County, New York

Adam J. Bello
County Executive

January 5, 2024

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No. <u>240038</u>
Not to be removed from the Office of the Legislature Of Monroe County
Committee Assignment
ENV. & PUB. WORKS-L
WAYS & MEANS

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

Subject: Amend the 2024 Capital Budget and Bond Resolution 286 of 2021 to Provide an Increase in Funding for Rochester Pure Waters District – Genesee Valley Pump Station Project

Honorable Legislators:

I recommend that Your Honorable Body amend the 2024 Capital Budget and Bond Resolution 286 of 2021 to provide an increase in funding for the Genesee Valley Pump Station Project.

The Genesee Valley Pump Station Project will provide relief to the Rochester Pure Waters District's (the "District") Wilson Boulevard trunk sewer and restore capacity in the District's collection system. Additionally, this project will allow the University of Rochester ("UofR") to expand its emergency medical facilities and permit future development in the Wilson Boulevard trunk sewer's sewer shed south of the UofR Medical Center. The improvements will include a new 3.5 million gallon per day sanitary pump station and force main consisting of a diversion and wet will structure with submersible pumps, valve and meter vaults, a small building to house electrical, instrumentation, and control components, and a force main approximately 1,500 linear feet that will cross under the Genesee River roughly 900 feet south of Elmwood Avenue. Through Resolution 294 of 2021, Your Honorable Body approved contracts with MRB Group for professional engineering services and with the UofR for financial participation in and the conveyance of interest in real property for the Project. Through Resolutions 159 and 160 of 2023, Your Honorable Body adopted Home Rule Messages for New York State Senate and Assembly Bills to allow the District to acquire permanent easements from the City of Rochester through Genesee Valley Park.

The estimated cost increase resulted from significant escalation of construction pricing since the project was originally estimated in 2021 and planned for construction commencing in 2022. The project was delayed to prolonged effort to acquire easements across Genesee Valley Park. Since design commenced in 2022, the pump station location on the UofR has been relocated from its original proposed location due to City of Rochester requirements and negotiations. The shifting of the pump station location resulted in a deeper excavation for the pump station structures as well as the relocation of existing underground and overhead utilities in conflict with the relocated pump station structures adding costs unforeseen in 2021.

The estimated cost of the improvements is \$9,500,000 with \$5,500,000 previously authorized by Your Honorable Body through Resolution 285 of 2021. The actual debt service obligation for the revised cost of the project, \$9,500,000, as projected in future years could potentially result in an increase of \$5.85 to the future annual charges of the average District ratepayer. However, the actual impact is typically reduced through the retirement of previous debt and other offsets to the District's capital charge levy. Based on an average annual water consumption of 60,000 gallons, the total annual charge for both operation and maintenance and capital to the typical District ratepayer in 2023 is \$254.89.

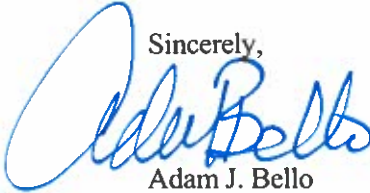
The specific legislative actions required are:

1. Amend the 2024 Capital Budget to increase funding for the "Genesee Valley Pump Station" project by \$4,000,000, from \$5,500,000 to \$9,500,000 for a total authorization of \$9,500,000.
2. Amend Bond Resolution 286 of 2021 to increase the total estimated project cost and financing for the "Genesee Valley Pump Station," capital fund 2009 by \$4,000,000, from \$5,500,000 to \$9,500,000, for a total project authorization of \$9,500,000, subject to the approval of the State Comptroller, if required.

This action is a Type I Action under the New York State Environmental Quality Review Act ("SEQRA"). Pursuant to Resolution 292 of 2021, the Monroe County Legislature issued a Negative Declaration for this action. No further action under SEQRA is required.

Funding for this project, consistent with authorized uses, will be available in capital fund 2009 and any capital fund(s) created for the same intended purpose. The local funding for this project will ultimately be provided by Rochester Pure Waters District user fees. No additional net County support is required in the current Monroe County budget.

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,

Adam J. Bello
Monroe County Executive