



Office of the County Executive

Monroe County, New York

Adam J. Bello
County Executive

February 7, 2020

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No. 200083
Not to be removed from the Office of the Legislature Of Monroe County
Committee Assignment
AGENDA/CHARTER

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

Subject: Confirmation of Appointment to the Monroe County Civil Service Commission

Honorable Legislators:

I recommend that Your Honorable Body confirm my appointment of Edward F. Premo, II to the Monroe County Civil Service Commission, pursuant to Article II, Section 15(1)(a) of the Civil Service Law, and Section C6-7(C) of the Monroe County Charter.

Mr. Premo resides at 103 Willowbend Road, Rochester, New York 14618. His appointment is effective immediately and will expire on May 31, 2022.

The specific legislative action required is to confirm the appointment of Edward F. Premo, II, to the Monroe County Civil Service Commission. This action is required in accordance with Article II, Section 15(1)(a) of the Civil Service Law, and Section C6-7(C) of the Monroe County Charter.

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

Funding for this action is included in the 2020 operating budget of the Department of Human Resources, general fund 9001, funds center 1701010000, HR- Civil Service Support. 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) favorable action by Your Honorable Body.

Sincerely,

A handwritten signature in cursive script, reading "Adam J. Bello".

Adam J. Bello
Monroe County Executive

AJB:db

Edward F. Premo II

103 Willowbend Road, Rochester, NY 14618

I recently retired as a litigation partner from Harter Secrest & Emery LLP after 34 years. My practice was civil litigation with a focus on municipal law and environmental law, including litigations on behalf of municipal corporations, school districts and public authorities. I have advised municipal boards on various issues including personnel matters and re-organization. My experience also includes service on charitable and professional organizations as an officer and board member.

Representative Experience

- In 2019, represented the Town of Irondequoit in a challenge to Monroe County's decision to no longer collect or guarantee town tax charges for property maintenance and remediation (appeal pending before the Court of Appeals).
- In 2016, obtained a seven-figure judgement for the Town of Irondequoit enforcing a payment-in-lieu-of-taxes agreement and upholding the termination of future tax abatements.
- In 2013 successfully defended a public authority against a challenge to the transfer of water customers from a village to the authority.
- In 2012, successfully represented a school district in a legal challenge to its environmental determination for field lights.
- In 2012, obtained summary judgment dismissing state and federal constitutional taking claims against the Town of Irondequoit for the designation of a historic property.
- In 2011, obtained all necessary approvals and environmental reviews for the development of a county-wide public safety communications facility with construction in twenty municipalities.
- In 2009, in a case of first impression, obtained a judgment that a town could use an incentive zoning process to offset adverse environmental impacts from wind energy projects pursuant to the State Environmental Quality Review Act and Town Law § 261-b.
- In 2009, successfully affirmed a declaratory judgment that a municipal annexation by default would violate Home Rule Provisions of the New York State Constitution.
- In 2005, defended school district with respect to multi-million dollar capital project and obtained a judgment that the district had adequately considered impacts to historic farm site.
- Successfully pursued a challenge by Allegany County before the United States Supreme Court declaring unconstitutional a key provision of a federal law on disposal of low-level radioactive waste thereby preventing location of the facility in the county.

Professional Positions

- Retired Partner Harter Secrest & Emery LLP May 2019
- Partner Harter Secrest & Emery LLP 1993-2019
- Associate Harter Secrest & Emery LLP 1985-1992
- Associate Christy & Viener (NYC) 1982-1985

Education

- Columbia University, J.D. 1982
- Hobart and William Smith Colleges, B.A., *magna cum laude*, 1979

Admissions

- New York
- U.S. District Court for the Southern, Eastern, Northern, and Western Districts of New York
- U.S. Court of Appeals for the Second Circuit
- U.S. Supreme Court

Honors and Awards

- Named as *Best Lawyers*® 2018 Litigation - Real Estate "Lawyer of the Year" in Rochester, NY
- Named as *Best Lawyers*® 2017 Litigation - Municipal "Lawyer of the Year" in Rochester, NY
- Named as *Best Lawyers*® 2016 Litigation - Real Estate "Lawyer of the Year" in Rochester, NY
- Named as *Best Lawyers*® 2013 Land Use and Zoning Law "Lawyer of the Year" in Rochester, NY
- Named as *Best Lawyers*® 2012 Litigation - Land Use and Zoning "Lawyer of the Year" in Rochester, NY
- Selected by his peers for inclusion in *The Best Lawyers in America*® in the fields of Land Use & Zoning Law, Environmental Litigation, Land Use & Zoning Litigation, Municipal Litigation, and Real Estate Litigation
- AV Preeminent® Peer Review Rated by Martindale-Hubbell
- Selected to the Upstate New York *Super Lawyers list*, 2007, 2009-2018
- Harlan Fiske Stone Scholar, Columbia University
- Phi Beta Kappa, Hobart and William Smith Colleges

Professional and Civic Affiliations

- Mediator, United States District Court for the Western District of New York
- Member, Board of Trustees and Vice-Chair, Finger Lakes Museum
- Member, Environmental Law Section and Executive Committee, New York State Bar Association
- Member Brighton Democratic Committee
- Former Member, Environmental Section, New York State Business Council
- Former Member, Board of Directors and past President, Empire Justice Center
- Former Member, Board of Directors, Executive Committee and Vice President, Finger Lakes Land Trust
- Former Chair, Professional Division, United Way of Greater Rochester
- Former Town Attorney, Town of Brighton (1992-1993)
- Former Chair (Two Terms), Environmental Law Committee, Monroe County Bar Association
- Former *Pro Bono* Coordinator, Harter Secrest & Emery LLP

Presentations

- "Advanced Legal Issues Affecting Local Governments and Municipalities: The Ultimate Guide," National Business Institute, March 22-23, 2017
- "The Most Powerful Anti-Fraud Tool Towns Don't Know About," 2016 New York State Association of Towns Annual Conference and Training School, February 2016
- "Attorney's Guide to Local Government - Zoning Considerations," National Business Institute, March 24, 2015
- "Form Based Zoning - Zoning Framework," Corning, NY, May 14, 2015
- "SEQRA Overview and Upcoming Changes," Air and Waste Management Association, October 16, 2013
- "The New SEQRA Environmental Assessment Forms," NYS Department of Environmental Conservation (Albany, Syracuse, Rochester), June 2013