

# APPROVED

## Summary of Minutes

### THE MONROE COUNTY CHARTER REVIEW COMMITTEE

January 30, 2014 at 11:00 a.m.  
Ebenezer Watts Conference Center  
Large Conference Room  
49 South Fitzhugh Street  
Rochester, New York 14614

MEMBERS PRESENT: Jeffrey R. Adair (Legislature President), Debbie Drawe (Legislator – District 9), John Lightfoot (Legislator – District 25), Daniel M. DeLaus, Jr. (Deputy County Executive), John A. DiCaro (Chairman), Jared C. Lusk (Citizen Member), Jamie L. Slocum (Secretary)

ABSENT: Frederick J. Holbrook (Citizen Member) (Excused)

OTHERS PRESENT: Merideth Smith (County Attorney), Patrick Pardyjak (Legislature Counsel), Brett Walsh (Chief of Staff – Republican Majority Office), Stephen Tucciarello (Majority Leader), Dennis O'Brien (Minority Office – Dep. Director)

The meeting commenced at approximately 11:05 a.m. Chairman John DiCaro welcomed everyone and Legislator Debbie Drawe led the committee in the Pledge of Allegiance. Chairman DiCaro stated that the August 29, 2013 minutes were approved as submitted.

Chairman DiCaro declared the Public Forum open. One speaker was signed up and addressed the committee; a handout was also provided. Chairman DiCaro declared the Public Forum closed.

Chairman DiCaro stated that under General Discussion on the Agenda, each member of the Committee would have the opportunity to give a brief summary and submit a report of their recommendations for the County Charter. He detailed that each committee member would report on their assigned portions of the County Charter and Administrative Code.

Legislator Drawe was selected first to present. She outlined her assignments: the Department of Human Services, the Department of Public Health and Monroe Community Hospital. For the Department of Human and Health Services, she cited Section C6-11 would need to be updated to reflect current positions with New York State Law. Next, Section C6-11 (D), a section on Mental Health, would need a complete re-write to update it with the current practices of the Department. Next, Section C6-12 in Public Health needs to be updated to comport with New York State Law. Finally, Section C-17, dealing with Monroe Community Hospital will need quite a few changes to incorporate new practices. She also indicated that the Medical Advisory Board no longer exists and therefore should be removed from this section of the

County Charter. Legislator Drawe ended by saying that she enjoyed her meetings with the County Attorney and receiving input from the Departments.

Deputy County Executive Daniel M. DeLaus presented second. He was assigned the Executive Branch and Administrative Code. He cited Section A5-4 and suggested this be deleted. The Section deals with the removal or suspension of an employee because this does not comport with New York State Law. Next, he proposed that Section A5-6 could be updated to allow the County Executive to enter into contracts under \$20,000 instead of the current \$5,000 limit that is written. Mr. DeLaus explained that his research shows this may result in 15-18 fewer Legislative Referrals a year while promoting government efficiency. He also described how the \$5,000 has not accounted for inflation. Finally, Section C7-1, he describes the County Clerk's term as three years, however, Mr. DeLaus pointed out that State Law sets the term to four years.

Legislator Lightfoot presented next. He began by listing his assignments: the County Legislature, Planning & Economic Development, Public Safety, the Sheriff's Office and the District Attorney. He explained that while he did meet with several department heads, he still had a few more to meet with. He started with Section C5-4 of Planning & Economic Development. He explained how this section had several inconsistencies with New York State Law including the title of the department. Under Public Safety, Section C6-18 Legislator Lightfoot described the need for word-smithing. He gave the example of using firefighter versus fireman which is currently used. Legislator Lightfoot also discussed updates that needed to be made to the Fire Prevention Code and the Fire Advisory Board. He noted that similarly to the County Clerk, the Sheriff's term in the Charter (Section C7-7) was three years and needed to be updated to four years. Legislator Lightfoot said no changes needed to be made to the District Attorney's Office. Lastly, he suggested that in the County Legislature portion of the Charter, Section C2-8, that a section should be added making the Charter and Code available on the County website. Legislator Lightfoot said this will bring us into this century.

Vice-Chairman Jeff Adair presented next, and cited that he covered Monroe Community College, the Library System, and the County Legislature. He expressed his thanks to the Departments and the County Attorney and her staff for all the help he received in examining his sections of the Charter. He had no recommendations for Monroe Community College or the Library System. Vice-Chairman stated that even though these sections of the Charter had no recommendations currently, that could change as the process moves forward. He re-iterated Legislator Lightfoot's desire to add in a section to C2-8 regarding the Charter and Code being available on the website. He also suggested that Section C2-9 should include that the Clerk of the Legislature should use email to send out notices. Vice-Chairman Adair also wants to add to C2-10 that the proceedings be provided electronically for distribution instead of the bound book. He commented that this will also help with cost savings.

Mr. Jared Lusk gave his update next. He has no recommendations for Communications, the Law Department, and the Environmental Management Council. Under the Department of Information Services, he suggested that Section C6-10 require someone to be responsible for data privacy and security, but noted that the County probably currently does it, but it is important to lay out the responsibilities in the Charter. Under Veteran's Services he suggested some word-smithing to include current practices of this Department. Mr. Lusk also suggested that under Transportation there be some shifting of job responsibilities between the Department of Transportation and Real Property. He explained that the Department of Environmental Services should be updated throughout including new titles. Lastly,

for the Human Resources Department he suggested we change the phrase Affirmative Action to Equal Employment Opportunity. He also recommended that the Committee examine the possibility of eliminating the Civil Service Commission model and look at a Personnel Officer model. He stated that Monroe County is one of only two large counties where the Civil Service Commission model is still used, but again reiterated that this is something the Committee should take a look at. Deputy County Executive DeLaus echoed these thoughts.

Chairman DiCaro read some concerns off a letter he received from Mr. Holbrook. His ideas included Public Referendums, recalling County Elected Officials, and reducing the size of the Legislature. Mr. Holbrook's comments will be included in the report that the County Attorney will be putting together.

Chairman DiCaro then presented on his sections of the Charter and Code. He was assigned Finance and Budget and said that his research shows that the current budget process is similar to other large counties around New York State. He said there were technical issues that needed to be addressed and he suggested that this section should include that the budget and summaries should be made available to the public online through [www.monroecounty.gov](http://www.monroecounty.gov).

At the conclusion of the presentations, Chairman DiCaro requested that each member of the committee submit their reports that will then be turned over to the County Attorney to be compiled and presented to the committee and the public. The County Attorney said that document will be prepared within the next week.

Chairman DiCaro then moved on to scheduling the next formal meeting as well as a couple public forums. After much discussion on how to accommodate the public the Committee decided their next formal meeting would be held on Thursday, February 27, 2014 at 5:30 p.m. at the Ebenezer Watts Conference Center. This meeting will also have a public forum for members of the public to comment on the committees initial findings. Chairman DiCaro also suggested a public forum be held outside of the City of Rochester before and after the February 27, 2014 meeting. He offered to look at the availability of the Gates Town Hall to hold a public forum the week before the February 27, 2014 meeting. The date and location of the second public forum is yet to be determined. Chairman DiCaro will work with the members of the Committee to solidify a date.

Chairman DiCaro also went over the timeline of the Committee and said that the Committee will be prepared to present a final report of recommendations to the County Legislature by the end of March.

Deputy County Executive DeLaus requested that for any substantive changes that are proposed, the history of the current language be researched so the Committee can examine it in its entirety.

With no other business, Chairman DiCaro called for a Motion to Adjourn which was MOVED by Deputy County Executive DeLaus and SECONDED by Vice-Chairman Adair. The meeting adjourned at 11:49 a.m.

Respectfully Submitted,

Jamie L. Slocum