

*Monroe County
Clerk of the Legislature*

**David Grant
Clerk**



**Nayeliz Santiago
Deputy Clerk**

**Carlton Huff
2nd Assistant Dep. Clerk**

MEMORANDUM

TO: Legislators, Directors, Staff and Media
FROM: David Grant, Clerk of the Legislature *DG*
DATE: July 8, 2024
RE: Matters of Urgency – File Nos. 24-0222 - 24-0225

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- 24-0222 Home Rule Message for Assembly Bill No. A.10626 Entitled “AN ACT to authorize the County of Monroe to offer an optional twenty year retirement plan to Carl J. Zimmerman, a sergeant employed by such county” – As a Matter of Urgency – County Executive Adam J. Bello
- 24-0223 Home Rule Message for Assembly Bill No. A.10622 Entitled “AN ACT to authorize the granting of retirement service credit in the optional twenty year retirement plan to Duane A. Palma for service as a correction officer” – As a Matter of Urgency – County Executive Adam J. Bello
- 24-0224 Home Rule Message for Assembly Bill No. A.10578 Entitled “AN ACT to authorize the County of Monroe to offer an optional twenty year retirement plan to Gregory M. Prokop, a deputy sheriff employed by such county” – As a Matter of Urgency – County Executive Adam J. Bello
- 24-0225 Home Rule Message for Assembly Bill No. A.10582 Entitled “AN ACT to authorize the County of Monroe to offer an optional twenty year retirement plan to Christopher R. Fay, a captain employed by such county” – As a Matter of Urgency – County Executive Adam J. Bello

Per President Yversha Román, the attached communications have been declared to be Matters of Urgency pursuant to Section 545-24(A)(3) of the Rules of the Monroe County Legislature and will be considered at the July 9, 2024 regular meeting of the Monroe County Legislature.

Attachments



Office of the County Executive Monroe County Legislature

July 8, 2024

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

OFFICIAL FILE COPY	
No.	<u>240222</u>
Not to be removed from the Office of the Legislature Of Monroe County	
Committee Assignment	
URGENT	-L

Subject: Home Rule Message for Assembly Bill No. A.10626 Entitled "AN ACT to authorize the County of Monroe to offer an optional twenty year retirement plan to Carl J. Zimmerman, a sergeant employed by such county"

Honorable Legislators:

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

We recommend that Your Honorable Body adopt a Home Rule Message in regard to the above bill that will authorize Monroe County to offer an optional twenty year retirement plan to Sergeant Carl J. Zimmerman of the Monroe County Sheriff's Office Road Patrol.

Sergeant Carl J. Zimmerman began work in the Jail Bureau of the Monroe County Sheriff's Office on October 29, 1990. He transferred to the Road Patrol Division on May 25, 1998. His pension membership should have been transferred to the 20-year retirement plan authorized by §§552 and 553 of Article 14-B of the Retirement and Social Security Law. For reasons unrelated to any negligence on his part, the retirement plan transfer from the jail retirement plan to the authorized Road Patrol Division retirement plan did not occur. It was not until much later that he discovered that he was still in the Jail Bureau retirement plan. At that time, he was informed it was not possible to switch over to his correct retirement system without state legislative approval. To correct this error, this bill would authorize this Honorable Body to offer Sergeant Zimmerman the option to join this Road Patrol Division retirement plan with credit for past service.

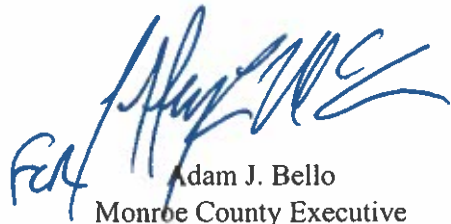
The specific legislative action required is to adopt a Home Rule Message for Assembly Bill No. A.10626 Entitled "AN ACT to authorize the County of Monroe to offer an optional twenty year retirement plan to Carl J. Zimmerman, a sergeant employed by such county."


This is 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 Revenue Act.

Adoption of this Home Rule Message will have no impact on the revenues or expenditures of the current Monroe County budget, however, if this bill becomes law, Your Honorable body will have the option of offering this pension benefit to Sergeant Zimmerman, which according to the fiscal note prepared by the Office of the State Comptroller would increase the County's annual contribution to the pension system by approximately \$11,000 for the fiscal year ending March 31, 2025. In future years, this cost will

vary as the billing rates and salary of Carl J. Zimmerman change. In addition to the annual contributions discussed above, there would be an immediate past service cost of approximately \$141,000, which will be borne by the County as a one-time payment on or before February 1, 2025 or at the County's election, it may amortize this cost over a five-year period, the cost or each year including interest would be \$31,500.

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


Adam J. Bello
Monroe County Executive

Sincerely,

Dave Long
Monroe County Legislature
Public Safety, Chairman


Paul Dondorfer
Monroe County Legislature
Public Safety, Ranking Member

By Legislators _____ and _____

Intro. No. _____

RESOLUTION NO. _____ OF 2024

REQUESTING THE LEGISLATURE OF THE STATE OF NEW YORK PURSUANT TO ARTICLE IX OF THE CONSTITUTION TO ENACT INTO LAW ASSEMBLY BILL NO. A.10626 ENTITLED "AN ACT TO AUTHORIZE THE COUNTY OF MONROE TO OFFER AN OPTIONAL TWENTY YEAR RETIREMENT PLAN TO CARL J. ZIMMERMAN, A SERGEANT EMPLOYED BY SUCH COUNTY"

RESOLVED, that pursuant to Article IX of the Constitution, the Legislature of the County of Monroe does hereby request the enactment of legislation as follows:

Assembly Bill No. A.10626 Entitled "AN ACT to authorize the County of Monroe to offer an optional twenty year retirement plan to Carl J. Zimmerman, a sergeant employed by such county."

And be it further

RESOLVED, that this resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Matter of Urgency
File No. 24-_____.a

ADOPTION: Date: _____ Vote: _____

ACTION BY THE COUNTY EXECUTIVE

APPROVED: _____ VETOED: _____

SIGNATURE: _____ DATE: _____

EFFECTIVE DATE OF RESOLUTION: _____



Office of the County Executive Monroe County Legislature

July 8, 2024

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

OFFICIAL FILE COPY	
No. <u>220223</u>	
Not to be removed from the Office of the Legislature Of Monroe County	
Committee Assignment	
URGENT	-L

Subject: Home Rule Message for Assembly Bill No. A.10622 Entitled "AN ACT to authorize the granting of retirement service credit in the optional twenty year retirement plan to Duane A. Palma for service as a correction officer"

Honorable Legislators:

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

We recommend that Your Honorable Body adopt a Home Rule Message in regard to the above bill that will authorize Monroe County to offer an optional twenty year retirement plan to Deputy Duane A. Palma of the Monroe County Sheriff's Office Road Patrol.

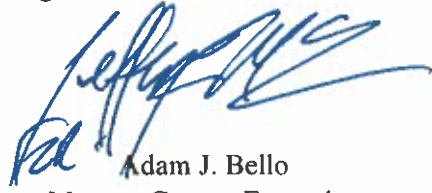
Deputy Palma is currently employed as a Road Patrol Deputy in the Monroe County Sheriff's office. He began his career in the Monroe County Jail bureau. He has over twenty years of law enforcement in multiple police agencies, including the Jail Bureau. Other members of his employment tier have successfully applied credit in the Jail Bureau plan towards the 20-year retirement plan. Deputy Palma anticipated that he would receive the same treatment. For reasons not ascribable to his own negligence, Deputy Palma was denied credit time for his service. This bill allows Deputy Palma the option of receiving full credit for the jail bureau service time in the 20-year retirement plan to rectify this error.

The specific legislative action required is to adopt a Home Rule Message for Assembly Bill No. A.10622 Entitled "AN ACT to authorize the granting of retirement service credit in the optional twenty year retirement plan to Duane A. Palma for service as a correction officer."

This is 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 Revenue Act.

Adoption of this Home Rule Message will have no impact on the revenues or expenditures of the current Monroe County budget, however, according to the fiscal note prepared by the Office of the State Comptroller, this bill will not increase the County's future annual contribution to the pension system. There will be an immediate past service cost of approximately \$177,000, which would be borne by the County as a one-time payment. This estimate assumes that payment will be made on February 1, 2025. If the County elects to amortize this cost over a five-year period, the cost for each year including interest would be \$39,600.

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



Adam J. Bello
Monroe County Executive

Sincerely,



Dave Long
Monroe County Legislature
Public Safety, Chairman



Paul Dondorfer
Monroe County Legislature
Public Safety, Ranking Member

By Legislators _____ and _____

Intro. No. _____

RESOLUTION NO. _____ OF 2024

REQUESTING THE LEGISLATURE OF THE STATE OF NEW YORK PURSUANT TO ARTICLE IX OF THE CONSTITUTION TO ENACT INTO LAW ASSEMBLY BILL NO. A.10622 ENTITLED "AN ACT TO AUTHORIZE THE GRANTING OF RETIREMENT SERVICE CREDIT IN THE OPTIONAL TWENTY YEAR RETIREMENT PLAN TO DUANE A. PALMA FOR SERVICE AS A CORRECTION OFFICER"

RESOLVED, that pursuant to Article IX of the Constitution, the Legislature of the County of Monroe does hereby request the enactment of legislation as follows:

Assembly Bill No. A.10622 Entitled "AN ACT to authorize the granting of retirement service credit in the optional twenty year retirement plan to Duane A. Palma for service as a correction officer."

And be it further

RESOLVED, that this resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Matter of Urgency
File No. 24-____.a

ADOPTION: Date: _____ Vote: _____

ACTION BY THE COUNTY EXECUTIVE

APPROVED: _____ VETOED: _____

SIGNATURE: _____ DATE: _____

EFFECTIVE DATE OF RESOLUTION: _____



Office of the County Executive Monroe County Legislature

July 8, 2024

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

OFFICIAL FILE COPY	
No. <u>220224</u>	
Not to be removed from the Office of the Legislature Of Monroe County	
Committee Assignment	
URGENT	-L

Subject: Home Rule Message for Assembly Bill No. A.10578 Entitled "AN ACT to authorize the County of Monroe to offer an optional twenty year retirement plan to Gregory M. Prokop, a deputy sheriff employed by such county"

Honorable Legislators:

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

We recommend that Your Honorable Body adopt a Home Rule Message in regard to the above bill that will authorize Monroe County to offer an optional twenty year retirement plan to Deputy Gregory M. Prokop of the Monroe County Sheriff's Office Road Patrol.

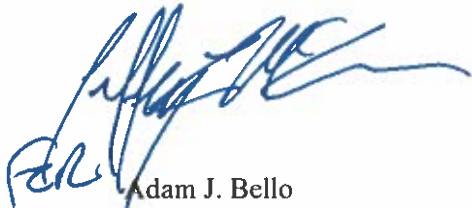
Deputy Prokop was hired to work in the Monroe County as a part-time road patrol deputy on October 7, 1991. In April 1996, Monroe County adopted the 20-year retirement plan provided in §§552 and 553 of Article 14-B of the Retirement and Social Security Law for Road Patrol division of the Sheriff's Office. In February 2000, Deputy Prokop became a fulltime deputy. The New York State Retirement System informed him he had one year from the adoption retirement plan in 1996 to become a member of the 20-year plan. He was not aware nor does he recall be informed of this requirement. He was also told that becoming a member of the 20-year plan now would require state legislative authorization. Assembly Bill A.10578 would permit this Honorable Body to approve such a transfer.

The specific legislative action required is to adopt a Home Rule Message for Assembly Bill No. A.10578 Entitled "AN ACT to authorize the County of Monroe to offer an optional twenty year retirement plan to Gregory M. Prokop, a deputy sheriff employed by such county."

This is 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 Revenue Act.

Adoption of this Home Rule Message will have no impact on the revenues or expenditures of the current Monroe County budget, however, if this bill becomes law, Your Honorable Body will have the option of offering this pension benefit to Deputy Prokop, which according to the fiscal note prepared by the Office of the State Comptroller would increase the County's annual contribution to the pension system by approximately \$11,000 for the fiscal year ending March 31, 2025. In future years, this cost will vary as the billing rates and salary of Deputy Prokop change. In addition to the annual contributions discussed above, there would be an immediate past service cost of approximately \$309,000, which will be borne by the County as a one-time payment on or before February 1, 2025 or at the County's election, it may amortize this cost over a five-year period, the cost or each year including interest would be \$69,000.

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



Adam J. Bello
Monroe County Executive

Sincerely,



Dave Long
Monroe County Legislature
Public Safety, Chairman



Paul Dondorfer
Monroe County Legislature
Public Safety, Ranking Member

By Legislators _____ and _____

Intro. No. ____

RESOLUTION NO. ____ OF 2024

REQUESTING THE LEGISLATURE OF THE STATE OF NEW YORK PURSUANT TO ARTICLE IX OF THE CONSTITUTION TO ENACT INTO LAW ASSEMBLY BILL NO. A.10578 ENTITLED "AN ACT TO AUTHORIZE THE COUNTY OF MONROE TO OFFER AN OPTIONAL TWENTY YEAR RETIREMENT PLAN TO GREGORY M. PROKOP, A DEPUTY SHERIFF EMPLOYED BY SUCH COUNTY"

RESOLVED, that pursuant to Article IX of the Constitution, the Legislature of the County of Monroe does hereby request the enactment of legislation as follows:

Assembly Bill No. A.10578 Entitled "AN ACT to authorize the County of Monroe to offer an optional twenty year retirement plan to Gregory M. Prokop, a deputy sheriff employed by such county."

And be it further

RESOLVED, that this resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Matter of Urgency
File No. 24-____.a

ADOPTION: Date: _____ Vote: _____

ACTION BY THE COUNTY EXECUTIVE

APPROVED: _____ VETOED: _____

SIGNATURE: _____ DATE: _____

EFFECTIVE DATE OF RESOLUTION: _____



Office of the County Executive Monroe County Legislature

July 8, 2024

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

OFFICIAL FILE COPY	
No. <u>240225</u>	
Not to be removed from the Office of the Legislature Of Monroe County	
Committee Assignment	
URGENT	-L

Subject: Home Rule Message for Assembly Bill No. A.10582 Entitled "AN ACT to authorize the County of Monroe to offer an optional twenty year retirement plan to Christopher R. Fay, a captain employed by such county"

Honorable Legislators:

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

We recommend that Your Honorable Body adopt a Home Rule Message in regard to the above bill that will authorize Monroe County to offer an optional twenty year retirement plan to Captain Christopher R. Fay of the Monroe County Sheriff's Office Road Patrol.

Captain Fay was hired to work in the Monroe County Jail Bureau on August 26, 1991. On May 25, 1998, he was transferred to the Road Patrol Division. He pension membership should have been transferred to the 20-year retirement plan provided in §§552 and 553 of Article 14-B of the Retirement and Social Security Law. For reasons unknown to him, his pension plan membership was not transferred from the jail retirement plan to the 20-year Road Patrol plan.

When he learned that he was still in the jail retirement plan, he was informed that he could not be moved to the 20-year plan without state legislative approval. This bill would authorize this Honorable Body to approve such a transfer.

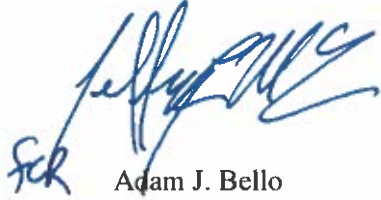
The specific legislative action required is to adopt a Home Rule Message for Assembly Bill No. A.10582 Entitled "AN ACT to authorize the County of Monroe to offer an optional twenty year retirement plan to Christopher R. Fay, a captain employed by such county."

This is 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 Revenue Act.

Adoption of this Home Rule Message will have no impact on the revenues or expenditures of the current Monroe County budget, however, if this bill becomes law, Your Honorable Body will have the option of offering this pension benefit to Captain Christopher R. Fay, which according to the fiscal note prepared by the Office of the State Comptroller would increase the County's annual contribution to the pension system by approximately \$12,000 for the fiscal year ending March 31, 2025. In future years, this cost will vary as the billing rates and salary of Christopher R. Fay change. In addition to the annual contributions discussed above, there would be an immediate past service cost of approximately \$145,000, which will be borne by the County as a one-time payment on or before February 1, 2025 or at the County's

election, it may amortize this cost over a five-year period, the cost or each year including interest would be \$32,300.

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



for Adam J. Bello
Monroe County Executive

Sincerely,



Dave Long
Monroe County Legislature
Public Safety, Chairman



Paul Dondorfer
Monroe County Legislature
Public Safety, Ranking Member

By Legislators _____ and _____

Intro. No. ____

RESOLUTION NO. ____ OF 2024

REQUESTING THE LEGISLATURE OF THE STATE OF NEW YORK PURSUANT TO ARTICLE IX OF THE CONSTITUTION TO ENACT INTO LAW ASSEMBLY BILL NO. A.10582 ENTITLED "AN ACT TO AUTHORIZE THE COUNTY OF MONROE TO OFFER AN OPTIONAL TWENTY YEAR RETIREMENT PLAN TO CHRISTOPHER R. FAY, A CAPTAIN EMPLOYED BY SUCH COUNTY"

RESOLVED, that pursuant to Article IX of the Constitution, the Legislature of the County of Monroe does hereby request the enactment of legislation as follows:

Assembly Bill No. A.10582 Entitled "AN ACT to authorize the County of Monroe to offer an optional twenty year retirement plan to Christopher R. Fay, a captain employed by such county."

And be it further

RESOLVED, that this resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Matter of Urgency
File No. 24-____.a

ADOPTION: Date: _____ Vote: _____

ACTION BY THE COUNTY EXECUTIVE

APPROVED: _____ VETOED: _____

SIGNATURE: _____ DATE: _____

EFFECTIVE DATE OF RESOLUTION: _____