



## **MONROE COUNTY**

### **Agenda/Charter Committee**

**May 23, 2022 5:00 PM**

#### ***AGENDA***

A. ROLL CALL

B. PUBLIC FORUM

C. APPROVAL OF MINUTES

February 14, 2022

D. NEW BUSINESS

22-0193

Confirmation of Appointments to the Monroe County Civil Service Commission -  
County Executive Adam J. Bello

E. OTHER MATTERS

F. ADJOURNMENT

The next meeting of the Agenda Charter Committee is scheduled for Monday, June 27, 2022 at 5:00 P.M.



ATTACHMENTS:

Description File Name

- February 14, 2022 2.14.22\_Agenda\_Charter\_Draft\_Minutes.pdf

Summary of Minutes  
AGENDA/CHARTER COMMITTEE  
February 14, 2022  
5:00 p.m.

Chairman Terp called the meeting to order at 5:01 p.m.

MEMBERS PRESENT: Matthew Terp (Chair), Steve Brew (Vice Chair), Sean M. Delehanty, Rachel Barnhart (RMM), Dave Long, Sabrina LaMar (Ex-Officio)

OTHER MEMBERS PRESENT: Frank X. Allkofer, Kathleen A. Taylor, Richard B Milne, Blake Keller, John Baynes, William Burgess, Carolyn Delvecchio Hoffman, Susan Hughes-Smith, Ricky Frazier, Yversha Roman, Maria Vecchio, Michael Yudelson

ADMINISTRATION PRESENT: Jeff McCann (Deputy County Executive), Don Crumb (Legislative Liaison), Andy Moore (Airport Director), Michael Garland, P.E. (DES Director), Robert Franklin (CFO), Bill Daly (DES)

SUSPENSION OF THE RULES: Be It Moved, that Article II, Section 545-6 of the Rules of the Monroe County Legislature, be, and hereby is suspended and modified by prohibiting public in-person access to the Committee Meeting in favor of video viewing or listening to, and recording and later transcription of such proceeding.

MOVED by Legislator Brew, SECONDED by Legislator Delehanty.

APPROVED: 5-0

PUBLIC FORUM: There were no speakers.

APPROVAL OF MINUTES: The minutes of January 24, 2022 were approved as submitted.

NEW BUSINESS:

**22-0055 -** Designation of Official Newspapers – County Executive Adam J. Bello

MOVED by Legislator Brew, SECONDED by Legislators Barnhart and Delehanty.

ADOPTED: 5-0

OTHER MATTERS

ADJOURNMENT:

There being no other matters, Chairman Terp adjourned the meeting at 5:03 p.m.

The next Agenda/Charter Committee meeting is scheduled for **Monday, March 21, 2022 at 5:00 p.m.**

Respectfully Submitted,  
David Grant  
Clerk of the Legislature



ATTACHMENTS:

Description File Name

▣ Referral R22-0193.pdf

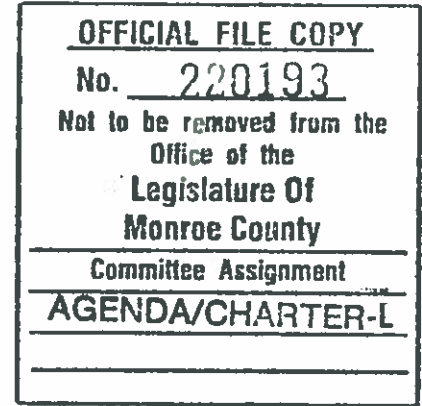


Office of the County Executive

Monroe County, New York

Adam J. Bello
County Executive

May 6, 2022



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

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

Honorable Legislators:

In accordance with New York Civil Service Law § 15 and § C6-7(C) of the Monroe County Charter, I recommend that Your Honorable Body confirm the appointments of the following individuals to the Monroe County Civil Service Commission:

- Mr. Donald O. Chesworth, for a term expiring May 31, 2026;
Mr. R. Michael Loewke, for a term expiring May 31, 2026;
Mr. Edward F. Premo, II, for a term expiring May 31, 2028;
Ms. Joanne Giuffrida, for a term expiring May 31, 2028.

Copies of the resumes of Mr. Chesworth, Mr. Loewke, Mr. Premo, and Ms. Giuffrida are attached.

The specific legislative action required is to confirm the appointments of Mr. Donald O. Chesworth and Mr. R. Michael Loewke, for a term expiring May 31, 2026, and Mr. Edward F. Premo, II and Ms. Joanne Giuffrida, for a term expiring May 31, 2028, to the Monroe County Civil Service Commission pursuant to New York Civil Service Law § 15 and § C6-7(C) of the Monroe County Charter.

This action is a Type II Action pursuant to 6 NYCRR § 617.5(c) and is not subject to review under the State Environmental Quality Review Act.

These appointments 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

AJB:db

# DONALD O. CHESWORTH

## EDUCATION:

**YALE LAW SCHOOL, NEW HAVEN, CONNECTICUT**  
*LL.B. [J.D.] 1966*

**GRACELAND COLLEGE, LAMONI, IOWA**  
*B.A. magna cum laude, 1963*

## PROFESSIONAL:

**TULLY RINCKEY, PLLC, ROCHESTER, NEW YORK**  
*Partner, September 2018 - Present*

**HARRIS, CHESWORTH & O'BRIEN, ROCHESTER, NEW YORK**  
*Managing Partner, July 1993 - September 2018*

**NEW YORK STATE TEMPORARY COMMISSION OF INVESTIGATION**  
*Chairman, February 1990 - January 23, 1996*

**HARRIS, EVANS, FOX & CHESWORTH, ROCHESTER, NEW YORK**  
*Partner, April 1990 - June 1993*

**UNDERBERG & KESSLER, ROCHESTER, NEW YORK**  
*Partner, 1987 - 1990; Associate, 1972 - 1975*

**NEW YORK STATE POLICE**  
*Superintendent, 1983 - 1986*

**MONROE COUNTY DISTRICT ATTORNEY**  
*1981 - 1983*

**MONROE COUNTY DISTRICT ATTORNEY'S OFFICE**  
*Second and First Assistant, 1976 - 1981*

**FEDERAL BUREAU OF INVESTIGATION**  
*Special Agent, 1966 - 1972*

## ADMITTED TO PRACTICE:

1966 Connecticut (not currently)  
1972 New York  
1972 U.S. District Court, Western District of New York  
1975 U.S. Court of Appeals for the Second Circuit  
1975 U.S. Supreme Court

Member, Monroe County and New York Bar Associations

Associate Member, International Association of Chiefs of Police and, New York State Association of Chiefs of Police

Former Member, Rochester Area Chamber of Commerce, Inc.

Former Member, Irondequoit Council of the Chamber of Commerce

Former Vice President of the Board of Directors of the Rochester Safety Council

Former Member of New York State District Attorneys Association

**AREAS OF CONCENTRATION:**

General Business, Municipal Liability and Estate Planning

**AWARDS:**

Recipient of the New York State District Attorneys Association Frank S. Hogan Award, 1985 in recognition of a significant contribution to the Criminal Justice System

Recipient, Outstanding Citizen Award 1988, presented by Monroe County Law Enforcement Council in recognition of many years of service to law enforcement in Monroe County

**COMMUNITY:**

Member, Society of Former Special Agents of the Federal Bureau of Investigation

President, Board of Directors, Humane Society for Rochester and Monroe County, July of 1996- June of 1999 and current Board Member

Former Member, Board of Directors, Monroe County Bar Association Foundation

Former Member, Board of Directors, Pretrial Services Corporation of the Monroe County Bar Association

Member, Board of Directors of Rochester area Crime Stoppers, Inc.

Member, Board of Directors of Rochester Community Boating Foundation 2012 - Present

Member, Board of Directors of the New York State Trooper Foundation 1987 – Present

**GUEST LECTURER:**

InterPol: Seminar on Organized Crime for the International Committee of the International Association of Chiefs of Police  
New York State Division of Criminal Justice Services  
Monroe Community College  
University of Rochester  
Coming Community College  
John Jay College of Criminal Justice

**CURRENT ACTIVITIES IN THE LAW ENFORCEMENT AREA:**

**Counsel to Monroe County Association of Chiefs of Police, Inc.**  
*1987-Present*

**Legal Advisor to the Division of State and Provincial Police, International Association of Chiefs of Police, Inc.**  
*1987-Present*

**FORMER LAW ENFORCEMENT LEADERSHIP POSITIONS:**

**Chairman, Organized Crime Committee, International Association of Chiefs of Police, Inc.**  
*1984-1986*

**Member, Training and Education Committee, International Association of Chiefs of Police, Inc.**  
*1984-1986*

**Member, Executive Committee, State and Provincial Division International Association of Chiefs of Police, Inc.**  
*1985-1986*

**Member, Police Executive Research Forum,**  
*1984-1986*

**Member, American Association of Motor Vehicle Administrators,**  
*1984-1986*

**Chairman, Organized Crime Committee, New York State Chiefs of Police**  
*1984-1986*

**Member, Municipal Police Training Council of New York State,**  
*1984-1986*



**Member, Executive Committee and Chairman of Drunk Driving  
Committee, New York State District Attorneys Association,  
1981-1983**

**Member, Criminal Justice Advisory Boards for:**

Hudson Valley Community College Monroe  
Community College  
Rochester Institute of Technology  
State University of New York at Brockport

# JOANNE GIUFFRIDA

## EXPERIENCE

### MONROE COUNTY GOVERNMENT

2020 – 2021

Deputy Director of Human Resources

### CONSULTANT

2009 - 2014

- Provided human resources and management services to local government and non-profit agencies.

### ROCHESTER CITY SCHOOL DISTRICT

2003-2008

Chief Human Resources Officer

- Directed human resources and labor relations activities for a work force of 6,000 employees and 1,000 substitutes.
- Member of the School Superintendent's Cabinet.
- Managed a department of 26 employees.
- Chief negotiator for all labor contracts.

### RUSH-HENRIETTA CENTRAL SCHOOL DISTRICT

1992-2003

Director of Human Resources

- Directed human resources and labor relations activities for a work force of 1200 employees.
- Member of the School Superintendent's Cabinet, providing overall management of the organization.
- Managed a department of 7 employees.
- Chief negotiator for all labor contracts.

### MONROE COUNTY GOVERNMENT

1988-91

Director of Personnel and Civil Service

- Directed personnel, labor relations, employee safety, payroll and Civil Service activities for a work force of 5,000 full-time employees in County government.
- Managed a staff of 27 employees and a 1.6 million dollar budget.
- Administered New York State Civil Service Law for towns, villages and school districts in Monroe County.

**PREFERRED CARE**

1986-87

Director of Human Resources

- Responsible for developing and implementing all aspects of company human resources program for 200 employees.
- Participated in making company business decisions as a member of the Executive Staff.
- Managed a department of 6 employees.

**CITY OF ROCHESTER GOVERNMENT**

1975-86

Employment Manager

Benefits Manager

Administrative Analyst

Administrative Assistant

**EDUCATION**

SUNY Brockport

Certificate of Advanced Study in School Business Administration

SUNY Brockport

Master's Degree in Public Administration

Cornell University

Graduate Certificate in Industrial and Labor Relations

Ohio University

Bachelor's Degree in Journalism

**RELATED COMMUNITY EXPERIENCE**

Elected member of the Rochester City School District Board of Education, 1999-2003.

Board of Education President, 2002.

Rochester Women's Giving Circle, 2011- 2019

Co-Chair of the Grantmaking Committee, 2013 - 2018

# Edward F. Premo II

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 also acted as counsel for municipal boards and served on the boards and as an officer of charitable and professional organizations.

## Representative Experience

- In 2019, represented the Town of Irondequoit in a successful challenge to Monroe County's decision to no longer collect or guarantee town tax charges for property maintenance and remediation.
- 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

## Court 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*<sup>®</sup> 2018 Litigation - Real Estate “Lawyer of the Year” in Rochester, NY
- Named as *Best Lawyers*<sup>®</sup> 2017 Litigation - Municipal “Lawyer of the Year” in Rochester, NY
- Named as *Best Lawyers*<sup>®</sup> 2016 Litigation - Real Estate “Lawyer of the Year” in Rochester, NY
- Named as *Best Lawyers*<sup>®</sup> 2013 Land Use and Zoning Law “Lawyer of the Year” in Rochester, NY
- Named as *Best Lawyers*<sup>®</sup> 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*<sup>®</sup> in the fields of Land Use & Zoning Law, Environmental Litigation, Land Use & Zoning Litigation, Municipal Litigation, and Real Estate Litigation
- AV Preeminent<sup>®</sup> 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

- Member Town of Brighton Zoning Board of Appeals (January, 2021 to date)
- Commissioner, Monroe County Civil Service Commission (April, 2020 to date)
- Mediator, United States District Court for Western District of New York
- Member, Board of Trustees and Vice-Chair, Finger Lakes Museum
- Member, Environmental and Energy Law and Local and State Government Law Sections, 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

# Curriculum Vitae

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Mike Loewke



## **R. Michael Loewke**

### **CEO / Partner**

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#### **Education**

- Graduated from Cardinal Mooney High School, Rochester, New York.
- Apprentice/Journeyman - Plumbers and Steamfitters Local 13 (38 yrs)
- Engineering School, 1 Year University of Windsor - Windsor, Canada.

#### **Summary of Qualifications**

- Excellent organization, development, and management capabilities.
- Established many successful companies some in conjunction with partners; extensively involved in daily operations as the general/primary partner communicating between project developments, tenants, city, neighbors and neighborhood associations, and all partners.
- Active in promoting business with concerns for quality development including protection to the environment.

#### **Professional Experience**

##### **● Mechanical/Electrical/Sheet Metal**

- 1975:** Successfully completed the Plumbers Examination for the City of Rochester and received City of Rochester Plumbing License, (Certificate of Competency).
- 1976-1998:** E&L Piping Inc. – Mechanical contracting firm formed. Company is highly qualified for all HVAC, Plumbing, Sheet Metal, Electrical, and Site Work in Commercial, Industrial, and School areas (With gross sales of (\$20M) Twenty Million Dollars). Good working agreements with Local 13, Local 46, Local 832, and Local 86. Established and managed Pension and Profit Sharing Plans. Worked with over 100 craftsmen. Closed daily operations in 1998. Completed over \$500 Million Dollars of Construction Contracts.
- 1979:** Attended and completed Boiler Efficiency School.
- 1993:** Established a new venture, E&L Service Inc. to provide service to small customers.
- 1994:** Completed backflow preventer school. Certified RPZ tester.
- 1998-Present:** Became Partner in Peter J. Brill Consulting (established in 1992). Formed Loewke & Brill Consulting Group in 2002. Provides consulting services to Bonding Companies such as Zurich NA, Liberty Mutual and St. Paul's Travelers. Became owner in 2004 when Peter Brill retired. Handled major losses including an 8

figure loss for Liberty Mutual in the Western New York and Pennsylvania area which included 92 active projects.

- 1998:** Formed Loewke Associates, a company established to educate contractors on how to be more successful on large and/or government contracts.
- 2004:** Became a member of the National Bond Claims Association.
- 2007:** Became member of the American Arbitration Association. Qualified as a Commercial / Construction Panel Expert and Consultant for Mediation & Arbitration.

## ● Airports/Aviation:

- 1981:** *L & E Aviation* - Formed for the purpose of purchasing and subsequent leasing of aircraft. (Part 135 - Commercial Aviation)
- 1981-1986** Maintained 5 planes to facilitate checks around the country for local banks and payroll companies.
- 1987-1996:** *Big Fella Enterprises, Inc.* – Was formed, by acquiring Ledge Dale Airpark (138 acres and buildings), was designated as a reliever airport for Rochester Monroe County Airport. This designation qualified the Company for the AIP (Airport improvement program) which provided opportunity to obtain grant money for development of the airport. Negotiated with Federal Aviation Administration and State of New York to receive grant funds for development. Worked closely with Town of Sweden Planning Board for cooperation and development. Expanded airport facilities with private fund and Public Grant Money Funds. Installed new runway in 1988. New lighting system was set in place in 1989 with full compliance with government. Installed a new 30 plane ramp area and new 3300' Parallel Taxiway. Worked to establish a ten year long-range development plan; which brought forth a successful F. B. O. (Fixed Based Operation). Supported and managed FBO for the airport until sold in 1996.

## ● Real Estate:

- 1980-1981:** *190 Murray Street Associates* – Created for purchase of 190 Murray Street at City auction. Worked extensively with City officials in legal, zoning planning, and economic development departments. Worked as "architect" and "engineer" to develop and revitalize 100,000 square feet into present use of offices, fabricating shops and warehouse. Dealt with New York State Job Development Authority on providing more jobs in a depressed area of the City. Close communication with bordering residential neighbors. (There has never been a complaint). Five businesses occupy the building at the present time that employ over 200 people. Full responsibility for financing, building renovation, and lease negotiation.
- 1982:** *Doctor's Office Building* - Built and developed 6,000 square feet on Ridge Road West. Responsible for all contacts with architect, engineer, Town of Greece Planning and Zoning Boards, Highway Department and Traffic Control to gain successful completion. Responsible for arranging project financing and managed construction



- 1983:** *LBF Associates* - Formed in Hollywood, Florida as a partnership for real estate investment. Own and manage 15,000 square foot apartment building.
- 1984:** *Sunrise Associates* - Established for ownership and management of 25,000 square foot apartment building in Sunrise Florida.
- 1984-1985:** *Angel Associates* - Created to purchase land at the City Auction and erect a 22,000 square foot building, (IKON Office Solutions, originally "KEX Copy/Source", 350 South Avenue) which won the New York State Masonry Association Award for Building of the Month. Effectively appeared before City Planning Commission, Zoning Board, Economic Development Administration, and had close contact with City Engineers relative to traffic patterns. Conferred with the State of New York Bridge Authority for bridge changes. Arranged financing, managed construction and negotiated leases.
- 1986:** *Angel Associates of Jamestown and Erie* - Founded for the purpose of real estate investment and development. Responsible for financing and construction. One 4,000 square foot building in Erie, Pennsylvania, and one 4,200 square foot building in Jamestown, New York. Negotiated leases.
- 1987:** *190 Murray Street Expansion* - Applied and was granted a permit for 11,000 square foot addition to building from City Planning Commission and Zoning Board of Appeals. Installed transitional parking lot. Received full neighborhood approval. Negotiated construction and permanent financing, and managed construction.
- 1989:** *4401 Lake Avenue Associates* - Created to develop and lease a 20,000 square foot building. Partnership presently has development proposal before City Planning Commission and Zoning Board. Appeared before Charlotte Community Association to assure neighborhood participation and agreement. Proposal received unanimous support. Building is presently leased.
- 2009:** *491 Elmgrove Park, LLC* – Created to develop and lease 12,000 square foot of warehouses and offices. Managed and oversaw all renovation and development of new roofs, interior office space, parking lot infrastructure work and exterior improvements.

● **Political:**

- 1995:** Ran for County Legislator and won.
- 1996:** Took Office as County Legislator – 28<sup>th</sup> LD, Monroe County.
- 1996-1997:** Appointed to Monroe County Planning & Economic Committee. Appointed to Monroe County Environmental & Public Works.
- 1999:** Appointed as Special Assistant to New York Senator Richard Dollinger
- 2005:** Ran for City Council
- 2006:** Appointed to the Monroe County Civil Service Board
- 2019:** Chairman of Monroe County Civil Service Commission

● **Boards:**

- 1989-1992:** Member of the Monroe County Planning Board
- 1990:** Member of the Board of Directors, Rocon Manufacturing, Inc.

- 1991:** Appointed to the Board of Directors to the Monroe County Water Authority, (a public agency providing water to 3 Counties).
- 1993:** Appointed to the Plumbers Examining Board, City of Rochester.
- 1993:** Became a trustee on the Pension Committee for Local 46 Sheet metal Union – a fund controlling \$50 Million.
- 1995:** Became a trustee on the Annuity Fund Committee for Local 13 Plumbers & Steamfitters Union with total assets of \$200 Million.
- 1996-1997:** Appointed to Monroe County Deferred Compensation Board.
- 1999:** Appointed to the Board of Directors Northwest Community Service.
- 1999-Present:** Serve on the Board of Directors of RAPA (Rochester Area Performing Artists).
- 2006-Present:** Appointed to the Monroe County Civil Service Board.
- 2019:** Chairman of Monroe County Civil Service Commission

- **Financial:**

- 1992:** Renegotiated over \$3.5 Million in mortgages with Chase Manhattan Bank on several properties.
- 2000:** Joined Karpus Investment Management as a Client Representative. Karpus Investment Management manages in excess of \$1 Billion.
- 2003:** Joined Genesee Valley Trust as client representation, GVT Investment managed over \$500 Million in assets.

- **Activities:**

- **Fluent in German:** Traveled to Europe every year for last twenty (25) years. Actively involved with showing many European visitors Rochester and Monroe County.
- **Continuing Education:** Computer training and Financial Investment Training.
- **Flying:** private pilot's license (1985).
- **Skiing:** enjoy downhill racing.
- **Golfing:** member of Brook-Lea Country Club since 1980