

SEVENTH DAY

TUESDAY, JULY 9, 2019

Legislature met pursuant to adjournment.

President Dr. Joe Carbone in the Chair.

ROLL CALL

Present – Legislators Allkofer, Ancello, Bauroth, Boyce, Brew, Carbone, Delehanty, DiFlorio, Drawe, Flagler-Mitchell, Halstead, Hebert, Howland, Kaleh, LaMar, Maffucci, Marianetti, Morelle, Jr., Muoio, Rockow, Sheppard, Taylor, Terp, Wilt, Zale – 25

Absent – Felder, Lightfoot, Micciche, Wilcox – 4

The meeting formally opened. Prayer led by Pastor Eric Helms of Brockport United Methodist Church, at the invitation of Legislator Mike Rockow. The Pledge of Allegiance to the Flag was led by Legislator Karla F. Boyce.

(Note: Legislator Lightfoot entered the Chambers and was present for the remainder of the meeting.)

APPROVAL OF MINUTES

Without objection, the Journal of Day 6, June 14, 2019 was approved as submitted.

PETITIONS AND COMMUNICATIONS

None

PROCLAMATIONS

By the President of the Legislature – Dr. Joe Carbone

(Note: Legislator Felder entered the Chambers.)

Recognized jointly with County Executive Cheryl Dinolfo, Legislator Mike Rockow, and Legislator Mike Zale, Seymour Library, for winning the 2019 Rochester Regional Library Council Public Library of the Year Award.
Read and Filed.

Recognized jointly with County Executive Cheryl Dinolfo and Legislator Frank X. Allkofer, Retired Public Employees Association, on its 50th anniversary and unbounding service to the public employee retirees of Monroe County.
Read and Filed.

Recognized jointly with Legislator Karla F. Boyce, Legislator John Howland, and Legislator Howard Maffucci, Pittsford Panthers Girls Lacrosse Team, on winning the 2019 Section V Class A Title.
Read and Filed.

RECESS

President Carbone recessed the meeting to allow for a Public Hearing entitled...

"Adoption of 2020-2025 Capital Improvement Program"

No speakers addressed the Legislature and the Public Hearing concluded at 6:15 P.M.

RECONVENING LEGISLATURE

President Carbone reconvened the recessed meeting of July 9, 2019 and proceeded under the Usual Order of Business.

FORMAL COMMITTEE REPORTS

None

PUBLIC FORUM

An Open Forum was conducted to allow speakers to address the Legislature. There were seventeen speakers and the Open Forum concluded at 7:06 P.M.

RECESS

A recess was declared by President Carbone to allow for a meeting of the **Pure Waters Administrative Board**.

RECONVENING LEGISLATURE

(Note: Legislator Felder was not present when the Legislature reconvened.)

President Carbone reconvened the recessed meeting of July 9, 2019 and proceeded under the Usual Order of Business.

CONSIDERATION OF LOCAL LAWS

- | | | |
|----------------------------------|------------|--|
| 1. Taylor & Delehanty Intro. 184 | 19-0160.LL | Enacting a Local Law Authorizing Sale of a Surplus Parcel of Real Property, Owned by Monroe County Located at 342-344 East Henrietta Road, City of Rochester, New York to L & L Residential Rochester, LLC
<i>For Introductory Purposes Only</i>
Agenda/Charter Committee; June 26, 2019 – CV: 4-0
Ways and Means Committee; June 26, 2019 - CV: 10-0 |
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(Note: Legislator Felder entered the Chambers.)

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|---|------------|---|
| 2. Taylor & Delehanty Intro. 185 M. 30 27-0 | 19-0160.LL | Providing that Local Law (Intro. No. 184 of 2019), Entitled "Enacting a Local Law Authorizing Sale of a Surplus Parcel of Real Property, Owned by Monroe County Located at 342-344 East Henrietta Road, City of Rochester, New York to L & L Residential Rochester, LLC " Be Tabled |
|---|------------|---|

3. Taylor & Delehanty
Intro. 186
Res. 158
27-0
- 19-0160.LL Fixing a Public Hearing on Local Law (Intro. No. 184 of 2019), Entitled "Enacting a Local Law Authorizing Sale of a Surplus Parcel of Real Property, Owned by Monroe County Located at 342-344 East Henrietta Road, City of Rochester, New York to L & L Residential Rochester, LLC
Public Hearing Scheduled for Tuesday, August 13, 2019 at 6:15 P.M.

MOTIONS, RESOLUTIONS AND NOTICES

4. DiFlorio & Boyce
Brew
Terp
Hebert
Zale
Howland
Delehanty
Intro. 187
M. 31
27-0
- 19-0120 Providing that Resolution (Intro. No. 161 of 2019), Entitled, "Adopting 2020-2025 Capital Improvement Program," Be Lifted from the Table

5. DiFlorio & Boyce
Brew
Terp
Hebert
Zale
Howland
Delehanty
Intro. 188
M. 32
27-0
- 19-0120 Providing that Resolution (Intro. No. 161 of 2019), Entitled, "Adopting 2020-2025 Capital Improvement Program," Be Adopted

Intro. 161
Res. 159
27-0

Main Motion

6. Delehanty & Drawe
Intro. 189
Res. 160
27-0
- 19-0141 Confirming Appointments to Board of Directors of Greater Rochester Visitors Association, Inc.
7. Taylor & Brew
Intro. 190
Res. 161
27-0
- 19-0148 Confirming Appointment and Reappointments to Monroe County Recycling Advisory Committee
Agenda/Charter Committee; June 26, 2019 – CV: 4-0
8. DiFlorio & Boyce
Intro. 191
- 19-0149 Authorizing Addition to Western Monroe County Agricultural District Planning and Economic Development Committee; June 26, 2019 – CV: 4-0
For Introductory Purposes Only

9. DiFlorio & Boyce
Intro. 192
M. 33
27-0
19-0149 Providing that Resolution (Intro. No. 191 of 2019), Entitled “Authorizing Addition to Western Monroe County Agricultural District,” Be Tabled
10. DiFlorio & Boyce
Intro. 193
Res. 162
27-0
19-0149 Fixing a Public Hearing by the Planning and Economic Development Committee of the Monroe County Legislature on Resolution (Intro. No. 191 of 2019), Entitled “Authorizing Addition to Western Monroe County Agricultural District”
Public Hearing is Scheduled for Monday, July 22, 2019 at 5:15 p.m.
11. Boyce & Delehanty
Intro. 194
Res. 163
27-0
19-0150 Accepting Grant from New York State Department of Agriculture and Markets for Petroleum Product Quality Program
Public Safety Committee; June 26, 2019 - CV: 8-0
Ways and Means Committee; June 26, 2019 - CV: 10-0
12. Hebert & Brew
Intro. 195
Res. 164
27-0
19-0151 Authorizing Intermunicipal Agreement with Town of Greece and Any Other Municipal Corporation to Provide Geographic Information System Data Via Web-based Map Services
Intergovernmental Relation Committee; June 26, 2019 - CV: 3-0
Environment and Public Works Committee; June 26, 2019 - CV: 7-0
13. Howland & Delehanty
Intro. 196
Res. 165
27-0
19-0152 Amending 2019-2024 Capital Improvement Program to Add a Project Entitled "Culverts NY"
Transportation Committee; June 26, 2019 - CV: 6-0
Ways and Means Committee; June 26, 2019 - CV: 10-0
14. Howland & Delehanty
Lightfoot
Intro. 197
Res. 166
27-0
19-0152.br Resolution Authorizing the Issuance of \$2,564,000 Bonds of the County of Monroe, New York, to Finance the Cost of the Culverts NY Project, in and for said County, a an Estimated Maximum Cost of \$2,564,000
Transportation Committee; June 26, 2019 - CV: 6-0
Ways and Means Committee; June 26, 2019 - CV: 10-0
15. Howland & Delehanty
Lightfoot
Intro. 198
Res. 167
27-0
19-0153 Authorizing Contract with T.Y. Lin International Engineering, Architecture & Land Surveying, P.C. for Engineering Services for English Road Culverts over Round Pond Creek Tributary and over Kirk Creek in Town of Greece
Transportation Committee; June 26, 2019 - CV: 6-0
Ways and Means Committee; June 26, 2019 - CV: 10-0
16. Howland & Delehanty
Lightfoot
Intro. 199
Res. 168
27-0
19-0154 Authorizing Acquisition of Interests in Real Property for Mendon Center Road Improvement Project between Canfield Road and Calkins Road in Towns of Mendon and Pittsford
Transportation Committee; June 26, 2019 - CV: 6-0
Ways and Means Committee; June 26, 2019 - CV: 10-0
17. Zale & Delehanty
Intro. 200
Res. 169
27-0
19-0155 Accepting Grant from New York State Office for the Aging and Authorizing Contract with Lifespan of Greater Rochester, Inc. for New York Connects Expansion & Enhancement Program
Human Services Committee; June 26, 2019 - CV: 7-0
Ways and Means Committee; June 26, 2019 - CV: 10-0

18. Zale & Delehanty
Intro. 201
Res. 170
27-0
- 19-0156 Accepting Funding from New York State Office of Mental Health for Psychiatric Emergency Department Diversion Program and Authorizing Contract with Villa of Hope to Operate Psychiatric Emergency Department Diversion Program
Human Services Committee; June 26, 2019 - CV: 7-0
Ways and Means Committee; June 26, 2019 - CV: 10-0
19. Delehanty & Drawe
Intro. 202
Res. 171
27-0
- 19-0157 Authorizing Contract with Phoenix Business, Inc. d/b/a Phoenix Business Consulting for Production and System Upgrade Support Services
Ways and Means Committee; June 26, 2019 - CV: 10-0
20. Delehanty & Drawe
Intro. 203
Res. 172
27-0
- 19-0158 Directing Correction, Cancellation and Levy of Certain Monroe County Taxes in the Village of Webster
Ways and Means Committee; June 26, 2019 - CV: 10-0
21. Delehanty & Drawe
Intro. 204
Res. 173
27-0
- 19-0159 Authorizing Sale of County Owned Tax Foreclosure Property Located in Monroe County
Ways and Means Committee; June 26, 2019 - CV: 10-0
22. Delehanty & Drawe
Intro. 205
- 19-0161 Authorizing Commencement of Litigation Against the State of New York and Other Necessary Parties to Challenge the Lawfulness of “Driver’s License Access and Privacy Act”
Ways and Means Committee; June 26, 2019 - CV: 6-0

President Carbone ruled in favor of Legislator Marianetti’s **POINT OF ORDER**. Legislator Bauroth **APPEALED THE RULING OF THE CHAIR** and Legislator Lightfoot **SECONDED** the motion. A vote was taken and the Ruling of the Chair was **SUSTAINED** by the following vote:

Ayes - Legislators Marianetti, Allkofer, Ancello, Boyce, Brew, Delehanty, DiFlorio, Drawe, Halstead, Hebert, Howland, Rockow, Taylor, Terp, Wilt, Zale, and President Carbone – 17

Nays - Legislators Kaleh, Bauroth, Felder, Flagler-Mitchell, LaMar, Lightfoot, Maffucci, Morelle, Jr. Muoio, and Sheppard – 10

Intro. 206
M. 34
17-10

Marianetti/Delehanty (*Enter Executive Session*)

PROVIDING THAT THIS LEGISLATURE GO INTO EXECUTIVE SESSION

Be It Moved, that this Legislature be, and hereby is, in Executive Session for the purpose of discussing litigation relating to matters dealing with Referral 19-0161.

(Legislators Kaleh, Bauroth, Felder, Flagler-Mitchell, LaMar, Lightfoot, Maffucci, Morelle, Jr., Muoio, and Sheppard Voted in the Negative.)

Intro. 207
M. 35
10-17F

Muoio/Lightfoot (*Suspend the Rules*)

PROVIDING THAT THE RULES OF THE MONROE COUNTY
LEGISLATURE BE SUSPENDED

Be It Moved, that the Rules of the Monroe County Legislature be, and hereby are,
suspended.

*(Legislators Kaleh, Bauroth, Felder, Flagler-Mitchell, LaMar, Lightfoot, Maffucci, Morelle, Jr.,
Muoio, and Sheppard Voted in the Positive.)*

Intro. 208
M. 36
24-3

Marianetti/Delehanty/Bauroth (*Exit Executive Session*)

PROVIDING THAT THE EXECUTIVE SESSION END

Be It Moved, that the Executive Session be, and hereby is, ended.

(Legislators Kaleh, LaMar, and Muoio Voted in the Negative.)

Intro. 205
Res. 174
17-10

Main Motion

*(Legislators Kaleh, Bauroth, Felder, Flagler-Mitchell, LaMar, Lightfoot, Maffucci, Morelle, Jr.,
Muoio, and Sheppard Voted in the Negative.)*

Matters of Urgency

- | | | |
|---|---------|---|
| 23. Terp &
Delehanty
Intro. 209 | 19-0162 | Approving Monroe Community College's 2019-2020 Operating Budget
Matter of Urgency
<i>For Introductory Purposes Only</i> |
| 24. Terp &
Delehanty
Intro. 210
M. 37
25-0 | 19-0162 | Providing that Resolution (Intro. No. 209 of 2019) Entitled "Approving Monroe
Community College's 2019-2020 Operating Budget," Be Tabled |
| 25. Terp &
Delehanty
Intro. 211
Res. 175
25-0 | 19-0162 | Fixing Public Hearing on Resolution (Intro. No. 209 of 2019) Entitled "Approving
Monroe Community College's 2019-2020 Operating Budget"
<i>Public Hearing is Scheduled for Tuesday, July 23, 2019 at 6:00 p.m.</i> |
| 26. Brew &
Delehanty
Intro. 212 | 19-0163 | Approving Increase and Improvement of Facilities in Rochester Pure Waters District
- Frank E. Van Lare Wastewater Treatment Plant Secondary Clarifier System
Improvements
Matter of Urgency
<i>For Introductory Purposes Only</i> |
| 27. Brew &
Delehanty
Intro. 213
M. 38
27-0 | 19-0163 | Providing that Resolution (Intro. No. 212 of 2019), Entitled "Approving Increase and
Improvement of Facilities in Rochester Pure Waters District – Frank E. Van Lare
Wastewater Treatment Plant Secondary Clarifier System Improvements," Be Tabled |
| 28. Brew &
Delehanty
Intro. 214
Res. 176 | 19-0163 | Calling A Public Hearing for the Purpose of Considering a Proposed Increase and
Improvement of Facilities in Rochester Pure Waters District – Frank E. Van Lare
Wastewater Treatment Plant Secondary Clarifier System Improvements
<i>Public Hearing Scheduled for Tuesday, August 13, 2019 at 6:16 P.M.</i> |

29. Brew & Delehanty Intro. 215 19-0165 Approving Increase and Improvement of Facilities in Rochester Pure Waters District - Frank E. Van Lare Wastewater Treatment Plant Electrical System Improvements Matter of Urgency
For Introductory Purposes Only

(Note: Legislator Felder exited the Chambers and did not return for the remainder of the meeting.)

30. Brew & Delehanty Intro. 216 M. 39 26-0 19-0165 Providing that Resolution (Intro. No. 215 of 2019), Entitled "Approving Increase and Improvement of Facilities in Rochester Pure Waters District – Frank E. Van Lare Wastewater Treatment Plant Electrical System Improvements," Be Tabled
31. Brew & Delehanty Intro. 217 Res. 177 26-0 19-0165 Calling A Public Hearing for the Purpose of Considering a Proposed Increase and Improvement of Facilities in Rochester Pure Waters District – Frank E. Van Lare Wastewater Treatment Plant Electrical System Improvements
Public Hearing Scheduled for Tuesday, August 13, 2019 at 6:17 P.M.
32. Delehanty & Drawe Intro. 218 Res. 178 26-0 19-0167 Amending Resolution 192 of 2018, Standard Work Day and Reporting Resolution for County Elected and Appointed Officials for Retirement Credit Purposes
Matter of Urgency

UNFINISHED BUSINESS

None

Upon Motion by Legislator Marianetti, the Legislature Adjourned at 8:33 P.M. until **Tuesday, August 13, 2019 at 6:00 P.M.**

Jack Moffitt
Clerk of the Legislature