

TWENTIETH DAY

TUESDAY, NOVEMBER 23, 2021

Legislature met pursuant to adjournment.

President Dr. Joe Carbone in the Chair.

ROLL CALL

Present – Legislators Allkofer*, Ancello*, Barnhart*, Bauroth*, Baynes*, Boyce*, Brew*, Carbone, Colby*, Delehanty*, DiFlorio*, Dondorfer*, Felder*, Flagler-Mitchell*, Hasman*, Hebert*, Keller*, Keophetlasy*, LaMar*, Lee*, Maffucci*, Marianetti*, Morelle, Jr.*, Roman*, Smith*, Taylor*, Wilcox*, Wright*, Yudelson* – 29

* Legislator Participated in the Meeting via Teleconference.

SUSPENSION OF THE RULES

Intro. 549
M. 141

Brew & DiFlorio
Motion to Suspend the Rules of the Monroe County Legislature as follows:

PROVIDING THAT RULES OF THE MONROE COUNTY LEGISLATURE BE SUSPENDED AND MODIFIED FOR THE SPECIAL MEETING ON NOVEMBER 23, 2021

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 Special Meeting in favor of video viewing or listening to, and recording and later transcription of such proceeding.

20-9

(Legislators Barnhart, Bauroth, Baynes, Hasman, Maffucci, Morelle, Jr., Roman, Wilcox and Yudelson Voted in the Negative.)

MOMENT OF PRAYER

The meeting formally opened. President Carbone requested a moment of silent prayer. The Pledge of Allegiance to the Flag was led by Legislator Paul Dondorfer.

ANNOUNCEMENT

President Carbone stated that the sole purpose of this meeting, pursuant to Section C2-9C (1) of the County Charter and Section 545-5 of the Rules of the Legislature of the County of Monroe, was to consider the items listed on the official meeting notice. The Clerk of the Legislature gave notification of this special meeting to legislators and the media pursuant to Rule 545-5 of the Rules of the Monroe County Legislature.

PETITIONS AND COMMUNICATIONS

Legislators were notified by President Carbone that referrals for the next committee cycle are available on Novus Agenda.

From the President of the Legislature – DR. JOE CARBONE

Regarding Calling a Special Meeting of the Legislature.

Read and Print. (File No. 21-0476)

November 22, 2021

Mr. David Grant, Clerk
Monroe County Legislature
407 County Office Building
Rochester, New York 14614

RE: Special Meeting of the Monroe County Legislature

Dear Mr. Grant,

Pursuant to the authority vested in me as President of the Legislature by Section C2-9C (1) of the County Charter and Section 545-5 of the Rules of the Monroe County Legislature, I hereby direct you to call a Special Meeting of the Legislature for Tuesday, November 23, 2021 at 4:30 p.m. in the Chambers of the Legislature, with remote participation, at 406 County Office Building, 39 West Main Street, Rochester, NY 14614.

The business to be conducted at the special meeting will be the following:

Providing that Rules of the Monroe County Legislature be Suspended and Modified for the Special Meeting on November 23, 2021

Authorize a Contract/Retainer with Fusco Law Office for Professional Legal Services for the Development of Reapportionment Mapping and Associated Services

Authorize a Contract with Mr. Art Plewa for Analysis of 2022 Monroe County Proposed Budget in an Amount Not to Exceed \$5,000

Please give notice of this Special Meeting of the County Legislature to the members of the Legislature in accordance with the provisions of Section C2-9C (2) of the County Charter. Thank you for your assistance.

Sincerely,
Dr. Joe Carbone, President
Monroe County Legislature

OTHER COUNTY OFFICIALS

David Grant, Clerk of the Legislature – Regarding Calling a Special Meeting of the Monroe County Legislature.

Read and Print. (File No. 21-0477)

November 22, 2021

The Honorable
Monroe County Legislature
39 West Main Street

Rochester, NY 14614

Re: Special Meeting of the Monroe County Legislature

Honorable Legislators:

At the direction of Dr. Joe Carbone, President of the Monroe County Legislature, a **Special Meeting of the Monroe County Legislature** is hereby called pursuant to Section C2-9(C)(1) of the Monroe County Charter and Section 545-5 of the Rules of the Legislature for **Tuesday, November 23, 2021 at 4:30 p.m.** in the Chambers of the Legislature, 406 County Office Building, with Legislators participating remotely.

The business to be conducted at the special meeting will be the following:

Providing that Rules of the Monroe County Legislature be Suspended and Modified for the Special Meeting on November 23, 2021;

Authorize a Contract/Retainer with Fusco Law Office for Professional Legal Services for the Development of Reapportionment Mapping and Associated Services (File No. 21-0478);

Authorize a Contract with Mr. Art Plewa for Analysis of 2022 Monroe County Proposed Budget in an Amount Not to Exceed \$5,000 (File No. 21-0479).

Sincerely,
David Grant
Clerk of the Legislature

PUBLIC FORUM

An Open Forum was conducted. There were no public forum comments.

MOTIONS, RESOLUTIONS AND NOTICES

- | | | |
|------------------------------------|---------|--|
| 1. Hebert & DiFlorio
Intro. 550 | 21-0478 | Authorizing Contract with Fusco Law Office for Professional Legal Services for the Development of Reapportionment Mapping and Associated Services |
| | | President Carbone ruled in favor of Legislator Hebert's <u>POINT OF ORDER</u> . Legislator Bauroth <u>APPEALED THE RULING OF THE CHAIR</u> and Legislator Morelle <u>SECONDED</u> the motion. A vote was taken and the Ruling of the Chair was <u>SUSTAINED</u> by the following vote: |
| | | Ayes - Legislators Brew, Felder, Lee, Ancello, Boyce, Delehanty, DiFlorio, Dondorfer, Flagler-Mitchell, Hebert, Keller, Keophtlasy, LaMar, Marianetti, Smith, Taylor, Wright and President Carbone – 18 |
| | | Nays - Legislators Barnhart, Bauroth, Baynes, Colby, Hasman, Maffucci, Morelle, Jr., Roman, Wilcox, and Yudelson – 10 |
| Intro. 551
M. 142 | | Felder/Bauroth/Hebert (<i>Motion to Amend</i>)
PROVIDING THAT RESOLUTION (INTRO NO. 550 OF 2021), ENTITLED "AUTHORIZING CONTRACT WITH FUSCO LAW OFFICE FOR PROFESSIONAL SERVICES FOR THE DEVELOPMENT OF |

REAPPORTIONMENT MAPPING AND ASSOCIATED SERVICES,” BE AMENDED

BE IT MOVED, that Intro No. 550 of 2021, be amended as follows:

I recommend your Honorable Body amend the matter of urgency regarding File No. 21-0468 which is entitled **Authorizing the Legislative District Revision Committee to Retain Professional Services, Resolution 381– 468 of 2021**. As President of the Monroe County Legislature, I authorize entrance in a contract/retainer with Fusco Law Office in the amount not to exceed \$20,000 as provided in section C2-10 subsection C of the Monroe County Charter. It is also in accordance with Section 4 of the Monroe County Procurement Policy Section 4.

The specific legislative actions required are:

~~1. Authorize the President of the Legislature in accordance with Section C2-4. B.10 of the Monroe County Charter paragraph 4 of the Monroe County Procurement Policy, and New York State General Municipal Law for the period of November 9, 2021 through December 31, 2021.~~

Authorize the President of the Legislature to execute professional services contracts, and any amendments thereto, on behalf of the Legislative District Revision Commission, appointed in accordance with Resolution 381 of 2021, at a maximum total combined cost ~~\$50,000~~ \$20,000 for the period of November 9, 2021 through December 31, 2021

Added Language is underlined

Deleted Language is ~~stricken~~

29-0

Intro. 552
M. 143

Felder/Flagler-Mitchell (*Motion to Call Question*)

PROVIDING THAT THE QUESTION BE CALLED

Be It Moved that the question be, and hereby is called on Intro. No. 550 of 2021.

20-9

(*Legislators Barnhart, Bauroth, Baynes, Hasman, Maffucci, Morelle, Jr., Roman, Wilcox and Yudelson Voted in the Negative.*)

Intro. 550
Res. 384
20-9

Main Motion (As Amended by Motion No. 142 of 2021)

(*Legislators Barnhart, Bauroth, Baynes, Hasman, Maffucci, Morelle, Jr., Roman, Wilcox and Yudelson Voted in the Negative.*)

2. Ancello &
Delehanty
Intro. 553

21-0479 Authorizing Contract with Mr. Art Plewa for Analysis of 2022 Monroe County Proposed Budget in an Amount Not to Exceed \$5,000

Intro. 554
M. 144

Bauroth/Baynes (*Motion to Amend*)

PROVIDING THAT RESOLUTION (INTRO NO. 553 OF 2021), ENTITLED “AUTHORIZING CONTRACT WITH MR. ART PLEWA FOR ANALYSIS OF 2022 MONROE COUNTY PROPOSED BUDGET IN AN AMOUNT NOT TO EXCEED \$5,000,” BE AMENDED

BE IT MOVED, that Intro No. 553 of 2021, be amended as follows:

Section 2. Funding for this contract is included in the 2021 operating budget of the ~~Department of Law, general fund 9001, funds center 1601010000~~ Legislature Majority Office, general fund 9001, funds center 1011010000, Professional Services.

Added Language is underlined
Deleted Language is ~~stricken~~

RECESS

President Carbone declared a brief recess at the request of Legislator Brew.

RECONVENING LEGISLATURE

President Carbone reconvened the recessed meeting of November 23, 2021 and proceeded under the Usual Order of Business.

Intro. 554
M. 144
WITHDRAWN

Intro. 553
WITHDRAWN

Main Motion

UNFINISHED BUSINESS

Upon Motion by Legislator Brew, the Legislature Adjourned at 5:54 P.M. until **Tuesday, December 14, 2021 at 6:00 P.M.**

David Grant
Clerk of the Legislature