

THIRD DAY

TUESDAY, MARCH 14, 2023

Legislature met pursuant to adjournment.

President LaMar in the Chair.

ROLL CALL

Present – Legislators Allkofer, Barnhart, Baynes, Blankley, Brew, Burgess, Colby*, Delehanty, Delvecchio Hoffman, DiFlorio, Dondorfer, Frazier, Hasman, Hebert, Hughes-Smith, Johns, Keller, LaMar, Long, Maffucci, McCabe, Milne*, Morris, Roman, Smith, Taylor, Vazquez Simmons, Vecchio, Yudelson – 29

* Legislator Participated in the Meeting via Teleconference.

MOMENT OF PRAYER

The meeting formally opened. Minister Clifford Florence of the Central Church of Christ led a moment of prayer

APPROVAL OF MINUTES

Without objection, the Journal of Day 2, February 14, 2023 was approved as submitted.

PETITIONS AND COMMUNICATIONS

None

PROCLAMATION

By the President of the Legislature – Sabrina LaMar

Recognized by President Sabrina LaMar, Honored Minister Franklin Florence for his Commitment to Serving Rochester and for his Selflessness and commitment to his family for being a community leader in social justice, housing and education in the Rochester Community

Read and Filed

Recognized jointly with President Sabrina LaMar, Legislator Jackie Smith and Legislator Tracy DiFlorio honored Meals on Wheels for their dedication and Service to helping those in need in times of crisis since 1972, for these efforts March shall be recognized as Meals on Wheels Month in the County of Monroe

Read and Filed.

Recognized jointly by County Executive Adam J. Bello, President Sabrina LaMar and by Legislator Steve Brew,

Legislator Robert Colby, and Declared March National Agriculture Month in Monroe County in honor of all of our farmers and the products and needs they provide Monroe County, New York State and the Nation

Read and Filed

Recognized jointly with President Sabrina LaMar, Legislator Carolyn Delvecchio-Hoffman honored the Flower City Collective for contributing to Holistic Healing within our Community by helping and elevating a women of color and teaching practices of self-care, accountability and radical honesty

Read and filed

Recognized jointly by County Executive Adam J. Bello, President Sabrina LaMar and by Legislators John Baynes, Legislator Howard Maffucci, Legislator George Hebert, Legislator Frank Allkofer, Legislator Mercedes Vasquez-Simmons, Legislator Tracy DiFlorio, Legislator Blake Keller Honored Nicholas A. Verzella for his faithful dedication to his country and community from his service as a veteran, coach and leader in the Rochester Community

Read and Filed

Recognized jointly by County Executive Adam J. Bello, President Sabrina LaMar and by Legislators John Baynes, Legislator Howard Maffucci, Legislator George Hebert, Legislator Frank Allkofer, Legislator Mercedes Vasquez-Simmons, Legislator Tracy DiFlorio, Legislator Blake Keller Honored Thomas A. Connors. Jr. for his faithful dedication to his country and community from his service as a veteran, and his efforts in the American Legion

Read and Filed

FORMAL COMMITTEE REPORTS

None

PUBLIC FORUM

An Open Forum was conducted to allow speakers to address the Legislature. There were forty-six speakers and the Open Forum concluded at 8:51 P.M.

RECESS

A brief recess was requested by Legislator Baynes and declared by President LaMar.

RECONVENING THE LEGISLATURE

President LaMar reconvened the recessed meeting of March 14, 2023 and proceeded under the Usual Order of Business.

CONSIDERATION OF LOCAL LAWS

1. Barnhart & Johns
Intro. 70
23-0007.LL Enacting a Local Law Amending the Code of Ethics of the County of Monroe Agenda /Charter Committee; February 27, 2023 – CV: 5-0
(For Introductory Purposes Only.)
2. Barnhart & Johns
Intro. 71
M. 14
29-0
23-0007.LL Providing that Local Law (Intro No. 70 of 2023) Entitled “Amending the Code of Ethics of the County of Monroe”, Be Tabled
3. Barnhart & Johns
Intro. 72
Res. 60
29-0
23-0007.LL Fixing a Public Hearing on Local Law (Intro. No. 70 of 2023) Entitled “Amending the Code of Ethics of the County of Monroe”
4. Hasman & Blankley
Intro. 73
23-0031.LL Enacting Local Law Amending Chapter 323 of the Monroe County Code Agenda/Charter Committee; February 27, 2023 – CV: 5-0
(For Introductory Purposes Only)
5. Hasman & Blankley
Intro. 74
M. 15
29-0
23-0031.LL Providing that Local Law (Intro. No. 73 of 2023) Entitled “Amending Chapter 323 of the Monroe County Code”, Be Tabled
6. Hasman & Blankley
Intro. 75
Res. 61
29-0
23-0031.LL Fixing a Public Hearing on Local Law (Intro No. 73 of 2023) Entitled “Amending Chapter 323 of the Monroe County Code”

MOTIONS, RESOLUTIONS AND NOTICES

- Brew & Roman
Intro. 76
M. 16
29-0
Motion to Move Agenda Items 7-40 as a Whole except Items 18, 20 and 32
7. McCabe & Smith
Intro. 77
Res. 62
29-0
23-0032 Amending 2023-2028 Capital Improvement Program and Authorizing Contract with DiPasquale Construction, Inc. for Construction Services for Specialized Secure Detention Facility Project
Environment and Public Works Committee; February 28, 2023 – CV: 6-0
Ways and Means Committee; February 28, 2023 – CV: 11-0
8. McCabe & Smith
Intro. 78
Res. 63
29-0
23-0032.br Resolution Authorizing the Issuance of \$61,600,000 Bonds of the County of Monroe, New York, to Finance the Cost of the Specialized Secure Detention Facility Project, in and for Said County, at an Estimated Maximum Cost of \$61,600,000 and Superseding the Bond Resolution Adopted on June 8, 2021 (Resolution No. 184 of 2021)
Environment and Public Works Committee; February 28, 2023 – CV: 6-0
Ways and Means Committee; February 28, 2023 – CV: 11-0

9. DiFlorio & Smith
Intro. 79
Res. 64
29-0
- 23-0033 Approving a Public Employees Blanket Bond for Genesee/Finger Lakes Regional Planning Council
Planning and Economic Development Committee; February 27, 2023 – CV: 5-0
Ways and Means Committee; February 28, 2023 – CV: 11-0
10. DiFlorio & Smith
Intro. 80
Res. 65
29-0
- 23-0034 Authorizing Annual Contribution to Genesee/Finger Lakes Regional Planning Council
Planning and Economic Development Committee; February 27, 2023 – CV: 5-0
Ways and Means Committee; February 28, 2023 – CV: 11-0
11. DiFlorio & Smith
Intro. 81
Res. 66
29-0
- 23-0035 Accepting Grant from Genesee Transportation Council for Land Use Monitoring Project
Planning and Economic Development Committee; February 27, 2023 – CV: 5-0
Ways and Means Committee; February 28, 2023 – CV: 11-0
12. Keller & Smith
Intro. 82
Res. 67
29-0
- 23-0036 Authorizing Contract with P. Miller Ashman, M.D. to Provide Urology Services for Monroe Community Hospital
Human Services Committee; February 28, 2023 – CV: 8-0
Ways and Means Committee; February 28, 2023 – CV: 11-0
13. Keller & Smith
Intro. 83
Res. 68
29-0
- 23-0037 Accepting Grant from New York State Office for the Aging and Authorizing Contract with Lifespan of Greater Rochester, Inc. for Year Three of Three of the 2020-2023 Lifespan Respite Care Program
Human Services Committee; February 28, 2023 – CV: 8-0
Ways and Means Committee; February 28, 2023 – CV: 11-0
14. Keller & Smith
Intro. 84
Res. 69
29-0
- 23-0038 Accept Funding from New York State Office for the Aging and Authorizing Contract with Lifespan of Greater Rochester, Inc. for Medicare Improvements for Patients and Providers Act
Human Services Committee; February 28, 2023 – CV: 8-0
Ways and Means Committee; February 28, 2023 – CV: 11-0
15. Keller & Smith
Intro. 85
Res. 70
29-0
- 23-0039 Accepting Grant from New York State Division of Criminal Justice Services for Paul Coverdell Forensic Science Improvement Program (Office of Medical Examiner's Forensic Toxicology Laboratory)
Human Services Committee; February 28, 2023 – CV: 8-0
Ways and Means Committee; February 28, 2023 – CV: 11-0
16. Keller & Smith
Intro. 86
Res. 71
29-0
- 23-0040 Authorizing Contract with National Medical Services, Inc. D.B.A. NMS Labs to Provide Toxicology Laboratory Services for Monroe County Office of Medical Examiner
Human Services Committee; February 28, 2023 – CV: 8-0
Ways and Means Committee; February 28, 2023 – CV: 11-0
17. Hebert & Keller & Smith
Intro. 87
Res. 72
29-0
- 23-0041 Authorizing Intermunicipal Agreement with City of Rochester for Flower City Public Health Corps Members to Serve in Monroe County Department of Public Health
Intergovernmental Relations Committee; February 27, 2023 – CV: 5-0
Human Services Committee; February 28, 2023 – CV: 8-0
Ways and Means Committee; February 28, 2023 – CV: 11-0
19. Keller & Smith
Intro. 88
Res. 73
- 23-0043 Authorizing Contract with M.L. Caccamise Electric Corp. for Construction Services for Highway Lighting Rehabilitation Central Project in City of Rochester and Towns of Gates and Chili
Transportation Committee; February 28, 2023 – CV; 7-0

- 29-0 Ways and Means Committee; February 28, 2023 – CV: 11-0
(Legislator Roman Declared Her Interest Prior to the Vote.)
21. Hebert & Morris Smith
Intro. 89
Res. 74
29-0 23-0045 Authorizing Contract with Keeler Construction Co., Inc. for Construction Services and Authorizing an Intermunicipal Agreement with Town of Pittsford in Conjunction with Stone Road Culverts Project in Town of Pittsford
Intergovernmental Relations Committee; February 27, 2023 – CV: 5-0
Transportation Committee; February 28, 2023 – CV: 7-0
Ways and Means Committee; February 28, 2023 – CV: 11-0
22. Hebert & Smith
Intro. 90
Res. 75
29-0 23-0046 Authorizing Intermunicipal Agreement with City of Rochester for Traffic Control Services at Innovative Field
Intergovernmental Relations Committee; February 27, 2023 – CV: 5-0
Ways and Means Committee; February 28, 2023 – CV: 11-0
23. Hebert & Dondorfer Smith
Intro. 91
Res. 76
29-0 23-0047 Authorizing Intermunicipal Agreements with Ten Municipalities for STOP-DWI Law Enforcement Program
Intergovernmental Relations Committee; February 27, 2023 – CV: 5-0
Public Safety Committee; February 28, 2023 - CV: 8-0
Ways and Means Committee; February 28, 2023 – CV: 11-0
(Legislator Vecchio Declared Her Interest Prior to the Vote.)
24. Hebert & Dondorfer Smith
Intro. 92
Res. 77
29-0 23-0048 Authorizing Intermunicipal Agreement with City of Rochester to Accept Pass Through Funding from the United States Department of Justice for 2022 Edward Byrne Memorial Justice Assistance Grant Program
Intergovernmental Relations Committee; February 27, 2023 – CV: 5-0
Public Safety Committee; February 28, 2023 – CV: 8-0
Ways and Means Committee; February 28, 2023 – CV: 11-0
25. Dondorfer & Smith
Intro. 93
Res. 78
29-0 22-0049 Accepting Grant from New York Office Division of Criminal Justice Services and Authorizing Contract with Pre-Trial Services Corporation of Monroe County Bar Association for Certified Pre-Trial Services Program
Public Safety Committee; February 28, 2023 – CV: 8-0
Ways and Means Committee; February 28, 2023 – CV: 11-0
26. Dondorfer & Smith
Intro. 94
Res. 79
29-0 22-0050 Accepting Grant from New York State Division of Homeland Security and Emergency Services for FY2022 Domestic Terrorism Prevention Grant Program
Public Safety Committee; February 28, 2023 – CV: 8-0
Ways and Means Committee; February 28, 2023 – CV: 11-0
(Legislator Vecchio Declared Her Interest Prior to the Vote.)
27. Dondorfer & Smith
Intro. 95
Res. 80
29-0 22-0051 Accepting Grant from New York State Division of Criminal Justice Services for Motor Vehicle Theft and Insurance Fraud Prosecution Program (District Attorney’s Office)
Public Safety Committee; February 28, 2023 – CV: 8-0
Ways and Means Committee; February 28, 2023 – CV: 11-0
28. Smith & Delehanty
Intro. 96
Res. 81
29-0 22-0052 Authorizing in Rem Tax Foreclosure Action No. 147
Ways and Means Committee; February 28, 2023 – CV: 11-0
29. Allkofer & Smith
Intro. 97
Res. 82
29-0 22-0053 Authorizing License Agreement with Rochester Brainerly LLC to Host Educational Outdoor Classes in Monroe County Parks
Recreation and Education Committee; February 27, 2023 – CV: 5-0
Ways and Means Committee; February 28, 2023 – CV: 11-0

30. Allkofer & Smith
Intro. 98
Res. 83
29-0
- 22-0054 Authorizing License Agreement with Mortalis Brewing Co. LLC for Mortalis + Swift Water Luau Festival
Recreation and Education Committee; February 27, 2023 – CV: 5-0
Ways and Means Committee; February 28, 2023 – CV: 11-0
31. Dondorfer & Smith
Intro. 99
Res. 84
29-0
- 22-0055 Authorizing Monroe County/Monroe County Bar Association Plan Regarding Conflict Defender’s Office and Assigned Counsel Program and Authorizing One Position Upgrade
Public Safety Committee; February 28, 2023 – CV: 8-0
Ways and Means Committee; February 28, 2023 – CV: 11-0
33. Smith & Delehanty
Intro. 100
Res. 85
29-0
- 22-0057 Authorizing to Settle Lawsuit in New York State Supreme Court, Monroe County, Index No. E2019001760
Ways and Means Committee; February 28, 2023 – CV: 11-0
34. Johns & Brew
Intro. 101
Res. 86
29-0
- 22-0058 Confirmation of Reappointment to New York State Department of Environmental Conservation Region 8 Fish and Wildlife Management Board
Agenda/Charter Committee; February 27, 2023 – CV: 5-0
35. Keller & Smith
Intro. 102
Res. 87
29-0
- 22-0059 Accepting Grant from New York State Department of Health for Support of Monroe County Nurse-Family Partnership Program
Human Services Committee; February 28, 2023 – CV: 8-0
Ways and Means Committee; February 28, 2023 – CV: 11-0
36. Keller & Smith
Intro. 103
Res. 88
29-0
- 22-0060 Amending Resolution 375 of 2018 Extending Time Period of Grant from U.S. Department of Justice for FY18 Adult Drug Court Discretionary Program and Amending Resolution 124 of 2019 Extending and Increasing Contract with Veterans Outreach Center Providing Services to Veterans in Rochester Veterans Treatment Court
Human Services Committee; February 28, 2023 – CV: 8-0
Ways and Means Committee; February 28, 2023 – CV: 11-0
37. Keller & Smith
Intro. 104
Res. 89
29-0
- 22-0061 Accepting Funding from United States Children’s Bureau, an Office of the Administration for Children and Families, through a Subcontract with University of Connecticut for Improving Systems and Implementing Interventions to Support Lasting Reunification of Families
Human Services Committee; February 28, 2023 – CV: 8-0
Ways and Means Committee; February 28, 2023 – CV: 11-0
38. Smith & Delehanty
Intro. 105
Res. 90
29-0
- 22-0062 Accepting County-Wide Shared Services Initiative Program Award from New York State Department of State
Ways and Means Committee; February 28, 2023 – CV: 11-0
39. Keller & Smith
Intro. 106
Res. 91
29-0
- 22-0063 Authorizing Contracts with Finger Lakes Performing Provider System, University of Rochester Medical Center, and Rochester Regional Health for Monroe Community Hospital to Participate in Complex Care Program
Human Services Committee; February 28, 2023 – CV: 8-0
Ways and Means Committee; February 28, 2023 – CV: 11-0
(Legislators Hasman and Long Declared Their Interest Prior to the Vote.)
40. Hebert & Dondorfer
- 22-0064 Accepting Grant from New York State Division of Criminal Justice Services for Criminal Justice Discovery Reform Funding for District Attorney’s Office, Department of

- Smith
Intro. 107
Res. 92
29-0
- Public Safety, Office of Probation and Community Corrections, and Office of the Sheriff and Authorizing Intermunicipal Agreements with City of Rochester, Rochester Police Department and Town of Greece, Greece Police Department
Intergovernmental Relations Committee; February 27, 2023 – CV: 5-0
Public Safety Committee; February 28, 2023 – CV: 8-0
Ways and Means Committee; February 28, 2023 – CV: 11-0
(Legislators Vecchio and Dondorfer Declared Their Interest Prior to the Vote.)
18. Keller & Smith
Hebert
Allkofer
Maffucci
Intro. 108
Res. 93
29-0
- 22-0042 Amending Resolution 168 of 2021, as Amended by Resolution 66 of 2022, Increasing the Amount of the Contract with Trybe Ecotherapy, LLC for Provision of Mental Health Program as a Holistic Option for Veterans Struggling with Mental Illness for Monroe County Veteran Services Agency
Human Services Committee; February 28, 2023 – CV: 8-0
Ways and Means Committee; February 28, 2023 – CV: 11-0
20. Morris & Smith
Intro. 109
Res. 94
26-3
- 22-0044.br Resolution Authorizing the Issuance of \$10,850,000 Bonds of the County of Monroe, New York, to Finance the Cost of the Rehabilitation and Improvement of Lake Road, Phase II, from Bay Road to Pellett Road, in and for Said County, at an Estimated Maximum Cost of \$10,850,000 and Superseding the Bond Resolution Adopted on February 9, 2021 (Resolution No. 45 of 2021)
Transportation Committee; February 28, 2023 – CV: 7-0
Ways and Means Committee; February 28, 2023 – CV: 11-0
(Legislators Barnhart, Hughes-Smith and Vasquez Simmons Voted in the Negative.)
32. Smith & Delehanty
Intro. 110
Res. 95
29-0
- 22-0056 Restricting Insurance Recovery Revenue from COVID-19 Vaccines and Amending the Adopted 2023 Operating Budget
Ways and Means Committee; February 28, 2023 – CV: 11-0
41. Smith & Delehanty
Intro. 111
Res. 96
29-0
- 22-0065 Authorizing License and Operating Agreement with Heritage Christian Services, Inc. to Operate Springdale Farm at Northampton Park
Matter of Urgency
(Legislator Colby Declared His Interest Prior to the Vote.)
42. Keller & Smith
Intro. 112
Res. 97
29-0
- 22-0066 Amending Resolution 294 of 2020, as Amended by Resolution 418 of 2021, Authorizing, Amending and Increasing Contracts for Provision of Forensic Pathology Services to Monroe County Office of the Medical Examiner
Matter of Urgency
43. Smith & Delehanty
Intro. 113
Res. 98
29-0
- 22-0067 Amending Resolution 338 of 2022, 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 Brew, the Legislature Adjourned at 9:17 P.M. until **Tuesday, April 11, 2023 at 6:00 P.M.**

David Grant
Clerk of the Legislature