

## TENTH DAY

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TUESDAY, September 11, 2018

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Legislature met pursuant to adjournment.

President Dr. Joe Carbone in the Chair.

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### ROLL CALL

Present – Legislators Allkofer, Ancello, Bauroth, Brew, Carbone, Conley, Delehanty, DiFlorio, Drawe, Felder, Flagler-Mitchell, Harris, Hebert, Howland, Kaleh, Lightfoot, Maffucci, Micciche, Morelle, Jr., Muoio, Rockow, Sheppard, Taylor, Terp, Wilcox, Wilt, Zale – 27

Absent – Legislator Boyce, Marianetti – 2

*Note: Legislator Boyce entered during the Public Forum and was present for the remainder of the meeting.*

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The meeting formally opened. Prayer led by Pastor Susan Garofalo of the First Congregational Church, at the invitation of Legislator Steve Brew. President Carbone called for a Moment of Silence in remembrance of 9/11. The Pledge of Allegiance to the Flag was led by Legislator Tanya Conley.

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### APPROVAL OF MINUTES

Without objection, the Journal of Day 9, August 14, 2018 was approved as submitted.

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### PETITIONS AND COMMUNICATIONS

*None*

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### PROCLAMATIONS

**By the President of the Legislature – Dr. Joe Carbone**

**Recognized jointly with County Executive Cheryl Dinolfo, Legislator Matthew Terp and Legislator George J. Hebert, Kittleberger Florist and Gifts, on their 90 year celebration.**

Read and Filed.

**Recognized jointly with County Executive Cheryl Dinolfo, Mayra Ortiz, for being named 2018 Bilingual Administrator of the Year by the New York State Association for Bilingual Education.**

Read and Filed.

**Recognized jointly with County Executive Cheryl Dinolfo, CURE Childhood Cancer Association, in recognition of Childhood Cancer Awareness Month and their continued support of families who have children living with pediatric cancer.**

Read and Filed.

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**RECESS**

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

*“Authorize Lease Agreement for Surplus Property at 5 Castle Park in City of Rochester, New York to Landmark Society of Western New York, Inc.”*

No speakers addressed the Legislature and the Public Hearing concluded at 6:21 P.M.

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**RECONVENING LEGISLATURE**

President Carbone reconvened the recessed meeting of September 11, 2018 and proceeded under the Usual Order of Business.

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**FORMAL COMMITTEE REPORTS**

*None*

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**PUBLIC FORUM**

An Open Forum was conducted to allow speakers to address the Legislature. There were eighteen speakers and the Open Forum concluded at 7:14 P.M.

*Note: Legislator Boyce entered the Chambers.*

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**RECESS**

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

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**RECONVENING LEGISLATURE**

President Carbone reconvened the recessed meeting of September 11, 2018 and proceeded under the Usual Order of Business.

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**CONSIDERATION OF LOCAL LAWS**

Conley,  
Delehanty &  
Kaleh  
Intro. 258  
M. 41  
28-0

Motion to Move Agenda Item Nos. 1-21 as a Whole

1. Taylor,  
Terp &  
Delehanty  
Intro. 259  
M. 42  
28-0
- 18-0221.LL Providing that Local Law (Intro. No. 235 of 2018), Entitled “Authorizing Lease Agreement for Surplus Property at 5 Castle Park in City of Rochester, New York to Landmark Society of Western New York, Inc.,” Be Lifted from the Table

2. Taylor, Terp & Delehanty Intro. 260 M. 43 28-0  
Intro. 235 Main Motion  
Local Law TBA  
28-0

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### MOTIONS, RESOLUTIONS AND NOTICES

3. DiFlorio & Delehanty Intro. 261 Res. 210 28-0  
18-0227 Accepting Grant from Monroe County Industrial Development Corporation Planning and Economic Development Committee; August 27, 2018 – CV: 5-0  
Ways and Means Committee; August 28, 2018 – CV: 9-0
4. Boyce & Delehanty Intro. 262 Res. 211 28-0  
18-0228 Accepting Aid to Localities Grant from New York State Division of Criminal Justice Services for Offices of District Attorney and Public Defender  
Public Safety Committee; August 27, 2018 – CV: 9-0  
Ways and Means Committee; August 28, 2018 – CV: 9-0
5. Boyce & Delehanty Intro. 263 Res. 212 28-0  
18-0229 Accepting Grant from New York State Office of Indigent Legal Services for the Offices of Public Defender and Conflict Defender for Provision of Indigent Legal Services  
Public Safety Committee; August 27, 2018 – CV: 9-0  
Ways and Means Committee; August 28, 2018 – CV: 9-0
6. Boyce & Delehanty Intro. 264 Res. 213 28-0  
18-0230 Accepting Grant from New York State Division of Criminal Justice Services for 2018-2019 Aid to Crime Laboratories Program (Monroe County Crime Laboratory)  
Public Safety Committee; August 27, 2018 – CV: 9-0  
Ways and Means Committee; August 28, 2018 – CV: 9-0
7. Boyce & Delehanty Intro. 265 Res. 214 28-0  
18-0231 Accepting Grant from New York State Governor’s Traffic Safety Committee for Highway Safety Program  
Public Safety Committee; August 27, 2018 – CV: 9-0  
Ways and Means Committee; August 28, 2018 – CV: 9-0
8. Boyce & Delehanty Intro. 266 Res. 215 28-0  
18-0232 Accepting Grant from New York State Division of Criminal Justice Services for County Reentry Task Force Program and Authorizing Contract with Delphi Drug and Alcohol Council, Inc.  
Public Safety Committee; August 27, 2018 – CV: 9-0  
Ways and Means Committee; August 28, 2018 – CV: 9-0
9. Brew & Delehanty Intro. 267 Res. 216 28-0  
18-0233 Amending Resolution 114 of 2018 to Amend Contract with I.K. Systems, Inc. for Design, Installation, and Maintenance of Facial Recognition System at Greater Rochester International Airport  
Environment and Public Works Committee; August 27, 2018 – CV: 6-0  
Ways and Means Committee; August 28, 2018 – CV: 9-0

10. Brew & Delehanty  
Intro. 268  
Res. 217  
28-0  
18-0234 Authorizing Contract with Cascades Recovery+, a Division of Cascades New York Inc. for Operation and Maintenance of Monroe County Resource Recovery Facility Environment and Public Works Committee; August 27, 2018 – CV: 6-0  
Ways and Means Committee; August 28, 2018 – CV: 9-0
11. Brew & Delehanty  
Intro. 269  
Res. 218  
28-0  
18-0235 Authorizing Contract with Arcadis U.S., Inc. for Professional Engineering Services for Frank E. Van Lare Wastewater Treatment Plant Aeration Improvement Project Environment and Public Works Committee; August 27, 2018 – CV: 6-0  
Ways and Means Committee; August 28, 2018 – CV: 9-0
12. Howland & Delehanty  
Intro. 270  
Res. 219  
28-0  
18-0237 Authorizing Acquisitions of Interests in Real Property for Culvert Replacement Project over Moorman Creek Tributary on Lawrence Road in Town of Clarkson Transportation Committee; August 28, 2018 – CV: 5-0  
Ways and Means Committee; August 28, 2018 – CV: 9-0
13. Zale & Delehanty  
Intro. 271  
Res. 220  
28-0  
18-0238 Accepting Grant from New York State Department of Health for Support of Monroe County Nurse-Family Partnership Program and Authorizing Contract with Community Care of Rochester dba Visiting Nurse Signature Care Human Services Committee; August 28, 2018 – CV: 9-0  
Ways and Means Committee; August 28, 2018 – CV: 9-0
14. Zale & Delehanty  
Intro. 272  
Res. 221  
28-0  
18-0239 Amending Resolution 274 of 2017 to Accept Additional Funding from New York State Department of Health for Drinking Water Enhancement Program Human Services Committee; August 28, 2018 – CV: 9-0  
Ways and Means Committee; August 28, 2018 – CV: 9-0
15. Zale & Delehanty  
Intro. 273  
Res. 222  
28-0  
18-0240 Accepting Grant from New York State Office of Temporary and Disability Assistance for Supplemental Nutrition Assistance Program High Performance Bonus Award Funds for 2018-2019 Human Services Committee; August 28, 2018 – CV: 9-0  
Ways and Means Committee; August 28, 2018 – CV: 9-0
16. Zale & Delehanty  
Intro. 274  
Res. 223  
28-0  
18-0241 Accepting Grant from New York State Office for Aging and Authorizing Contract with Lifespan of Greater Rochester, Inc. for New York Connects Expansion and Enhancement Program Human Services Committee; August 28, 2018 – CV: 9-0  
Ways and Means Committee; August 28, 2018 – CV: 9-0
17. Zale & Delehanty  
Intro. 275  
Res. 224  
28-0  
18-0242 Accepting Grant from New York State Office of Alcoholism and Substance Abuse Services for Gambling LOCADTR Development Project and Prevention Education Coordinator Positive Action Middle School Project and Amending Resolution 432 of 2017 to Authorize Contracts for Provision of Mental Health, Developmental Disabilities, and Alcoholism and Substance Abuse Services in 2018 for Monroe County Office of Mental Health Human Services Committee; August 28, 2018 – CV: 9-0  
Ways and Means Committee; August 28, 2018 – CV: 9-0
18. Delehanty & Hebert  
Intro. 276  
Res. 225  
28-0  
18-0243 Directing Correction, Cancellation and Levy of Certain Monroe County Taxes in Town of Webster Ways and Means Committee; August 28, 2018 – CV: 9-0

19. Delehanty & Hebert  
Intro. 277  
Res. 226  
28-0
- 18-0244 Amending Resolution 118 of 2011 to Increase Contract with Health Economics Group, Inc. for Third Party Administration of Monroe County's Flexible Spending Account Benefit, Qualified Pre-Tax Parking Program and Health Reimbursement Accounts  
Ways and Means Committee; August 28, 2018 – CV: 9-0
20. Delehanty & Hebert  
Intro. 278  
Res. 227  
28-0
- 18-0245 Authorizing Contract with Industrial/Organizational Solutions, Inc. for Civil Service Exam Writing and Consultant Services for Promotional Testing in Monroe County Sheriff's Office  
Ways and Means Committee; August 28, 2018 – CV: 9-0
21. Zale & Taylor  
Intro. 279  
Res. 228  
28-0
- 18-0246 Confirming Appointment to Monroe County Board of Health  
Human Services Committee; August 28, 2018 – CV: 9-0

**Matters of Urgency**

22. Zale & Delehanty  
Intro. 280
- 18-0247 Accepting Funding from New York State Office of Alcoholism and Substance Abuse Services for Medically Supervised Withdrawal-Inpatient Services Program and Amending Resolution 432 of 2017 to Authorize Contracts for Provision of Mental Health, Developmental Disabilities, and Alcoholism and Substance Abuse Services in 2018 for Monroe County Office of Mental Health  
Matter of Urgency

Intro. 281  
M. 44  
28-0

Bauroth/Lightfoot  
Motion to Amend Referral 18-0247

*A motion was made to amend the language in Referral 18-0247; however, the Resolution contained the correct language.*

To Amend paragraph 3 in Referral #18-0247, "Accept Funding from the New York State Office of Alcoholism and Substance Abuse Services for the Medically Supervised Withdrawal-Inpatient Services Program and to Amend Resolution 432 of 2017 to Authorize Contracts for the Provision of Mental Health, Developmental Disabilities, and Alcoholism and Substance Abuse Services in 2018 for the Monroe County Office of Mental Health" as follows:

Please refer to the attached Purchase of Services Information Form for disclosure of information required pursuant to Resolution ~~223~~ 432 of ~~2007~~ 2017, as amended by Resolution 11 of ~~2008~~ 2018.

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

Intro. 280  
Res. 229  
28-0

Main Motion

23. Conley & Rockow  
Intro. 282  
Elec. 4  
17-11
- 18-0266 Election for Position of Clerk of the Legislature  
Matter of Urgency
- Conley/Rockow nominated John D. Moffitt, Jr. to serve as Clerk  
Kaleh/Harris nominated Theresa Bertolone to serve as Clerk

Moffitt – Allkofer, Ancello, Boyce, Brew, Conley, Delehanty, DiFlorio, Drawe, Hebert, Howland, Micciche, Rockow, Taylor, Terp, Wilt, Zale, Carbone – 17

Bertolone – Kaleh, Bauroth, Felder, Flagler-Mitchell, Harris, Lightfoot, Maffucci, Morelle, Muoio, Sheppard, Wilcox - 11

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**UNFINISHED BUSINESS**

*None*

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Upon Motion by Legislator Conley, the Legislature Adjourned at 7:22 P.M. until **Tuesday, October 9, 2018 at 6:00 P.M.**

**DIANA M. CHRISTODARO**  
Clerk of the Legislature