

**NINETEENTH DAY**

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**TUESDAY, SEPTEMBER 8, 2020**

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Legislature met pursuant to adjournment.

President Dr. Joe Carbone in the Chair.

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**ROLL CALL**

Present – Legislators Ancello\*, Barnhart\*, Bauroth\*, Baynes\*, Boyce\*, Brew\*, Carbone, Delehanty\*, DiFlorio\*, Dondorfer\*, Felder\*, Flagler-Mitchell\*, Hasman\*, Hebert\*, Keophetlasy\*, LaMar\*, Lee\*, Maffucci\*, Marianetti\*, Morelle, Jr.\*, Roman\*, Smith\*, Taylor\*, Terp\*, Wilcox\*, Wilt\*, Yudelson\*, Zale\* – 27

Absent – Legislators Allkofer, Hebert – 2

\* Legislator Participated in the Meeting via Teleconference in Accordance with Executive Order 202.1 and 202.60, issued by Governor Andrew M. Cuomo.

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**SUSPENSION OF THE RULES**

Intro. 328  
M. 85  
27-0

Brew & Zale  
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 REGULAR MEETING ON SEPTEMBER 8, 2020

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

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**MOMENT OF PRAYER**

The meeting formally opened. Prayer led by Reverend Nicholas Russo, of Walker Baptist Church, at the invitation of Legislator Smith. The Pledge of Allegiance to the Flag was led by Legislator Kathleen A. Taylor.

*(Note: Legislator Allkofer joined the meeting via teleconference and was present through adjournment.)*

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**APPROVAL OF MINUTES**

Without objection, the Journals of Day 17, August 11, 2020, and Day 18, August 25, 2020, were approved as submitted.

*(Note: President Carbone stated the meeting had been closed to the public and all Legislators are participating via video or teleconference in accordance with Executive Order 202.1 and 202.60. President Carbone also noted that keeping with the Legislature's tradition of openness, the meeting is being live-stream on YouTube through the Legislature's official channel.)*

*(Note: President Carbone wished Legislator Frank X. Allkofer a happy birthday.)*

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**PETITIONS AND COMMUNICATIONS**

*None*

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**PROCLAMATIONS**

*None*

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**FORMAL COMMITTEE REPORTS**

*None*

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**PUBLIC FORUM**

An Open Forum was conducted. The comments of two pre-registered participants were read and the Open Forum concluded at 6:14 P.M.

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**LOCAL LAWS**

1. Brew &  
Zale  
Intro. 329  
M. 86  
28-0  
Motion to Discharge  
Providing that File Nos. 20-0249, 20-0259 through 20-0277 and 20-0281 through 20-0283 be Discharged from the Agenda/Charter, Public Safety, Human Services, Intergovernmental Relations, Environment and Public Works, Ways and Means Committees, and Committee of the Whole
  2. Taylor &  
Delehanty  
Intro. 330  
20-0249.LL Enact a Local Law Amending the Monroe County Charter to Create a Department of Diversity, Equity and Inclusion  
*For Introductory Purposes Only*
  3. Brew &  
Zale  
Delehanty  
Maffucci  
Intro. 331  
M. 87  
28-0  
20-0249.LL Providing that Local Law (Intro. No. 330 of 2020), Entitled "Enact a Local Law Amending the Monroe County Charter to Create a Department of Diversity, Equity and Inclusion," be Amended
  4. Taylor &  
Delehanty  
Intro. 332  
M. 88  
28-0  
20-0249.LL Providing that Local Law (Intro. No. 330 of 2020), Entitled "Enact a Local Law Amending the Monroe County Charter to Create a Department of Diversity, Equity and Inclusion," be Tabled
  5. Taylor &  
Delehanty  
Intro. 339  
Res. 235  
28-0  
20-0249.LL Fixing Public Hearing on Local Law (Intro. No. 330 of 2020), Entitled "Enacting Local Law Amending the Monroe County Charter to Create a Department of Diversity, Equity and Inclusion"  
*Public Hearing Scheduled for Tuesday, October 13, 2020 at 6:15 p.m.*
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## MOTIONS, RESOLUTIONS AND NOTICES

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|--|---------|---|
| 6. Felder &<br>Boyce<br>Baynes<br>Intro. 334<br>Res. 236<br>28-0       | 20-0259 | Authorizing Creation of Advisory Committee to Facilitate Renaming of Greater Rochester International Airport as "Frederick Douglass - Greater Rochester International Airport"                        |
| 7. Boyce &<br>Delehanty<br>Intro. 335<br>Res. 237<br>28-0              | 20-0260 | Accepting Grant from New York State Governor's Traffic Safety Committee for Police Traffic Services Program   |
| 8. Boyce &<br>Terp<br>Intro. 336<br>Res. 238<br>28-0                   | 20-0261 | Authorizing Monroe County Sheriff to Establish and Operate a Work Release Program at Monroe Correctional Facility and Monroe County Jail  |
| 9. Boyce &<br>Delehanty<br>Intro. 337<br>Res. 239<br>28-0              | 20-0262 | Authorizing Contract with WellNow Urgent Care, P.C. for Occupational Health Services for Sheriff's Office   |
| 10. Boyce &<br>Allkofer<br>Delehanty<br>Intro. 338<br>Res. 240<br>28-0 | 20-0263 | Authorizing Intermunicipal Agreement with Monroe #1 Board of Cooperative Educational Services for Monroe County Sheriff's Office School Resource Program  |
| 11. Boyce &<br>Allkofer<br>Delehanty<br>Intro. 339<br>Res. 241<br>28-0 | 20-0264 | Authorizing Intermunicipal Agreement with Town of Henrietta for Additional Deputy Coverage for Selected Targeted Traffic Enforcement, Locations to be Determined by Town of Henrietta Town Supervisor |
| 12. Boyce &<br>Delehanty<br>Intro. 340<br>Res. 242<br>28-0             | 20-0265 | Authorizing Creation of Fourteen New Positions in Public Defender's Office as Part of Year 2 Funding of Statewide Expansion of Hurrell-Harring Project Grant  |
| 13. Zale &<br>Delehanty<br>Intro. 341<br>Res. 243<br>28-0              | 20-0266 | Authorizing Contract with Catholic Diocese of Rochester to Provide Religious Services for Residents of Monroe Community Hospital  |
| 14. Zale &<br>Delehanty<br>Intro. 342<br>Res. 244<br>28-0              | 20-0267 | Amending Resolution 314 of 2017 to Accept Additional Funding from New York State Department of Health and Extending Time Period for Nutrition Programs  |

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| 15. Zale &<br>Delehanty<br>Intro. 343<br>Res. 245<br>28-0                | 20-0268 | Accepting Grant from Health Research, Inc. for Overdose Data to Action Program  |
| 16. Zale &<br>Delehanty<br>Intro. 344<br>Res. 246<br>28-0                | 20-0269 | Authorizing Contract with Reliant Staffing Systems, Inc., D.B.A. Career Start for Support of Special Supplemental Nutrition Program for Women, Infants and Children Program   |
| 17. Delehanty &<br>Zale<br>Intro. 345<br>Res. 247<br>28-0                | 20-0270 | Authorizing Contract with Roy Teitsworth, Inc. for Provision of Auctioneer Services   |
| 18. Delehanty &<br>Zale<br>Intro. 346<br>Res. 248<br>28-0                | 20-0271 | Authorizing Sale of County Owned Tax Foreclosure Property Located at 16 Taft Avenue in Town of Irondequoit  |
| 19. Delehanty &<br>Zale<br>Intro. 347<br>Res. 249<br>28-0                | 20-0272 | Directing Correction, Cancellation and Levy of Certain Monroe County Taxes in the Town of Irondequoit   |
| 20. Boyce &<br>Delehanty<br>Intro. 348<br>Res. 250<br>28-0               | 20-0273 | Authorizing Creation of Four New Positions in Conflict Defender's Office as Part of Year 2 of Statewide Expansion of the Hurrell-Harring Project Grant  |
| 21. Delehanty &<br>Zale<br>Intro. 349<br>Res. 251<br>28-0                | 20-0274 | Amending Resolution 265 of 1965 to Extend Expiration Date of Additional 1% Sales Tax Rate and Providing for its Distribution  |
| 22. Delehanty &<br>Zale<br>Intro. 350<br>Res. 252<br>28-0                | 20-0275 | Authorizing Settlement of Lawsuit in U.S. District Court for Western District of New York, Case Number 15-cv-6310   |
| 23. Delehanty &<br>Zale<br>Intro. 351<br><br>Intro. 352<br>M. 89<br>28-0 | 20-0276 | Authorizing Contract with Brown & Brown of New York, Inc. to Act as Insurance Broker of Record for County of Monroe<br><br>Flagler-Mitchell/Baynes ( <i>Motion to Table</i> )<br>PROVIDING THAT INTRO. NO. 351 OF 2020 BE TABLED<br>Be It Moved, that Intro. No. 351 of 2020 be, and hereby is, tabled. |

24. Boyce & Delehanty  
Intro. 353  
Res. 253  
28-0
- 20-0277
- Accepting Grant from the New York State Division of Criminal Justice Services for District Attorney's Office, Office of the Sheriff, and Department of Public Safety, Office of Probation and Community Corrections, for the Gun Involved Violence Elimination Partnership
25. Boyce & Delehanty  
Intro. 354  
Res. 254  
28-0
- 20-0281
- Amending Resolution 405 of 2017, as Amended by Resolution 88 of 2020, to Increase Contract with PrimeCare Medical of New York, Inc.
26. Boyce & Allkofer  
Delehanty  
Intro. 355  
Res. 255  
28-0
- 20-0282
- Authorizing Intermunicipal Agreement with Churchville-Chili Central School District for Reimbursement to Monroe County Sheriff's Office School Resource Program
27. Flagler-Mitchell & Keophetlasy  
Intro. 356
- 20-0283
- Amending Article VII of the Rules of the Monroe County Legislature to Allow for Establishment and Funding of Independent Caucuses
- Intro. 357  
M. 90  
3-19F
- Morelle, Jr./Baynes/Roman (*Motion to Table*)  
PROVIDING THAT INTRO. NO. 356 OF 2020 BE TABLED  
Be It Moved, that Intro. No. 356 of 2020 be, and hereby is, tabled.  
(*Legislators Roman, Wilcox and Yudelson voted in the positive.*)  
(*Legislators Barnhart, Bauroth, Hasman, Maffucci, and Morelle, Jr. abstained from voting.*)
- Intro. 358  
M. 91  
19-9
- Flagler-Mitchell & Keophetlasy (*Move to Move Previous Question*)  
PROVIDING THAT THE PREVIOUS QUESTION BE MOVED  
Be It Moved, that by two-thirds voting strength of those Legislators present, the question be, and hereby is moved on Intro. No. 356 of 2020.  
(*Legislators Barnhart, Bauroth, Baynes, Hasman, Maffucci, Morelle, Jr., Roman, Wilcox, and Yudelson voted in the negative.*)
- Intro. 356  
Res. 256  
19-9
- Main Motion  
(*Legislators Barnhart, Bauroth, Baynes, Hasman, Maffucci, Morelle, Jr., Roman, Wilcox, and Yudelson voted in the negative*)
28. Delehanty & LaMar  
Intro. 359
- 20-0284
- Amending 2020 Monroe County Budget and Resolution 399 of 2019 to Authorize Expansion of Forensic Intervention Team (FIT) Program by Increasing and Amending Contracts for Provision of Mental Health, Developmental Disabilities, and Alcoholism and Substance Abuse Services in 2020 for Monroe County Office of Mental Health
- Intro. 360  
M. 92  
28-0
- Brew/Zale/Morelle, Jr. (*Motion to Amend*)  
BE IT MOVED, that Resolution (Intro. No. 359 of 2020), be amended as follows:
- Section 3. Section 1 of Resolution 399 of 2019 is amended as follows:
- The County Executive, or her his designee, is hereby authorized to execute contracts, and any amendments thereto, with the ~~{subcontractors}~~ **[agencies]** listed in Attachment A, and any other ~~{subcontractors}~~ **[agencies]**, as necessary, to provide mental health, developmental disability, and alcoholism and substance abuse services for Monroe County residents, in an amount not to exceed ~~\$38,731,545~~ **[\$39,731,545]** ~~\$38,831,545~~ **[\$39,831,545]**, for the period of January 1, 2020 through December 31, 2020.

[Section 5. The County Executive, or his designee, is hereby authorized to enter into an intermunicipal agreement, and any amendment thereto, with the City of Rochester to accept \$300,000 to provide additional support for the Monroe County Forensic Intervention Team's Collaboration with the City of Rochester Police Department.]

[Section 6. The 2020 operating budget of the Department of Human Services, Office of Mental Health is hereby amended by appropriating the sum of \$300,000 into general fund 9001, funds center 5702010000, Mental Health Services.]

[Section 7. Section 1 of Resolution 399 of 2019 is further amended as follows:

The County Executive, or his designee, is hereby authorized to execute contracts, and any amendments thereto, with the agencies listed in Attachment A, and any other agencies as necessary, to provide mental health, developmental disability, and alcoholism and substance abuse services for Monroe County residents and individuals in need of emergency services in Monroe County, in an amount not to exceed ~~\$39,831,545~~ \$40,131,545, for the period of January 1, 2020 through December 31, 2020.]

Section ~~{5}~~ **[8]**. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Added language is underlined

Added language by this motion is [bracketed], **bold** and underlined

Deleted language is stricken

Deleted language by this motion is [bracketed], **bold** and stricken

Intro. 359  
Res. 257  
28-0

Main Motion

*(Legislator Boyce declared her interest in the matter prior to casting her vote.)*

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## UNFINISHED BUSINESS

*None*

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Upon Motion by Legislator Brew, the Legislature Adjourned at 9:02 P.M. until **Tuesday, October 13, 2020 at 6:00 P.M.**

**Jack Moffitt**  
Clerk of the Legislature