

SEVENTEENTH DAY

TUESDAY, October 12, 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, Keophtlasy, LaMar, Lee, Maffucci, Marianetti, Morelle, Jr., Roman, Smith, Taylor, Wilcox, Wright, Yudelson – 29

MOMENT OF PRAYER

The meeting formally opened. Prayer led by Reverend Michael L. Sloan of First Congregational Church of Spencerport, at the invitation of Legislator Robert J. Colby. The Pledge of Allegiance to the Flag was led by Karla F. Boyce.

IN MEMORIAM

35. Brew & Felder Intro. 433 Res. 312 29-0	21-0390	Expressing Regret of the Monroe County Legislature on the Recent Passing of Michael J. Francesco, Sr., Father of Monroe County Legislator Karla F. Boyce Matter of Urgency
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APPROVAL OF MINUTES

Without objection, the Journals of Day 17 of September 14, 2021 were approved as submitted.

PETITIONS AND COMMUNICATIONS

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

Note: President Carbone welcomed former County Legislator Dick Beebe to the Chambers.

PROCLAMATIONS

Recognized jointly with President Dr. Joe Carbone, Legislator Justin Wilcox, and Legislator Joshua Bauroth, Michael E. Pollock, for his nearly 35 years of service to both the Brighton Community and Monroe County.
Read and Filed.

Recognized jointly with President Dr. Joe Carbone and Legislator Yversha Roman, Devon Reynolds, Sr., on his commitment to the Greater Rochester area.
Read and Filed.

Recognized jointly with President Dr. Joe Carbone and Legislator Sabrina LaMar, Jeremy Tjhung, on his dedication to making Rochester a safer place to live.

Read and Filed.

RECESS

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

Enacting a Local Law Entitled "To Establish the Food Delivery Fairness Act"

No speakers addressed the Legislature and the Public Hearing concluded at 6:22 P.M.

Note: Legislator Flagler-Mitchell Left the Chambers.

RECONVENING LEGISLATURE

President Carbone reconvened the recessed meeting of October 12, 2021 and proceeded under the Usual Order of Business.

FORMAL COMMITTEE REPORTS

None

PUBLIC FORUM

An Open Forum was conducted. There were twenty-six speakers and the Open Forum concluded at 7:40 P.M.

RECESS

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

RECONVENING LEGISLATURE

President Carbone reconvened the recessed meeting of October 12, 2021 and proceeded under the Usual Order of Business.

CONSIDERATION OF LOCAL LAWS

1. Barnhart & Dondorfer Intro. 434 M. 107 28-0 21-0296.LL Providing that Local Law (Intro No. 397 of 2021) Entitled, "To Establish the Food Delivery Fairness Act," be Lifted from the Table
2. Barnhart & Dondorfer Intro. 435 M. 108 27-1 21-0296.LL Providing that Local Law Entitled, "To Establish the Food Delivery Fairness Act," be Adopted Agenda/Charter Committee; July 25, 2021 – CV: 4-0 Public Safety Committee; July 26, 2021 – CV: 8-0 (*Legislators LaMar Voted in the Negative*)

Intro. 397
LL #TBA
27-1

Main Motion

(Legislator LaMar Voted in the Negative.)

MOTIONS, RESOLUTIONS AND NOTICES

Note: Legislator Flagler-Mitchell Re-entered the Chambers and was Present for the Remainder of the Meeting.

3. Wright & Delehanty
Intro. 436
Res. 313
20-9
- 21-0326
- Confirming Appointment to Monroe County Soil and Water Conservation Board
- (Legislators Barnhart, Bauroth, Baynes, Hasman, Maffucci, Morelle, Jr., Roman, Wilcox and Yudelson Voted in the Negative.)*
4. Ancello & Boyce
Delehanty
Intro. 437
Res. 314
19-10
- 21-0327
- Authorizing Intermunicipal Agreement with Spencerport Fire District for Purchase of LUCUS Automated Chest Compression Device
Intergovernmental Relations Committee; September 28, 2021 – CV: 4-0
Public Safety Committee; September 27, 2021 – CV: 7-0
Ways and Means Committee; September 28, 2021 – CV: 11-0 Tabled
(Legislators Barnhart, Bauroth, Baynes, Hasman, LaMar, Maffucci, Morelle, Jr., Roman, Wilcox and Yudelson Voted in the Negative.)
5. Taylor & Delehanty
Flagler-Mitchell
Intro. 438
Res. 315
29-0
- 21-0328
- Authorizing Funding for Position at Cornell Cooperative Extension of Monroe County to Expand Existing Cornell Cooperative Extension Nutrition Program and Strengthen Cornell Cooperative Extension Public Health Outreach
Human Services Committee; September 28, 2021 – CV: 8-0
Ways and Means Committee; September 28, 2021 – CV: 11-0
6. Boyce & Delehanty
Intro. 439
- 21-0329
- Authorizing Allocation of Emergency Grant Funding to Gates Volunteer Ambulance Service to Reimburse Expenditures Incurred During the COVID-19 Pandemic
Public Safety Committee; September 27, 2021 – CV: 7-0
Ways and Means Committee; September 28, 2021 – CV: 7-4
- Intro. 440
M. 109
29-0
- Roman, Brew & Morelle, Jr.
PROVIDING THAT INTRO. NO. 439 OF 2021 BE TABLED
Be It Moved, that Intro. No. 439 of 2021 be, and hereby is, tabled.
7. Boyce & Dondorfer
Intro. 441
Res. 316
29-0
- 21-0331
- Confirming Appointments to Criminal Justice Council

RECESS

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

RECONVENING LEGISLATURE

President Carbone reconvened the recessed meeting of October 12, 2021 and proceeded under the Usual Order of Business.

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| Intro. 442
M. 110

29-0 | | Brew, Felder & Roman
Motion to Move Remaining Agenda As a Whole Except for Item Nos. 11, 12, 29-32 and 36 |
| 8. Wright &
Delehanty
Intro. 443
Res. 317
29-0 | 21-0332 | Authorizing Contract with Schuler-Haas Electric Corp. for Construction Services for the Rochester Pure Waters District's Frank E. Van Lare Water Resource Recovery Facility Electrical System Improvements Project
Environment & Public Works Committee; September 27, 2021 – CV: 6-0
Ways and Means Committee; Ways and Means, 2021 – CV: 11-0 |
| 9. Wright &
Delehanty
Intro.
Intro. 444
Res. 318
29-0 | 21-0334 | Authorizing Contract with Blue Heron Construction Company, LLC for Construction Services for Rochester Pure Waters District's Frank E. Van Lare Water Resource Recovery Facility Aeration System Improvements Project, Phase B
Environment & Public Works Committee; September 27, 2021 – CV: 6-0
Ways and Means Committee; September 28, 2021 – CV: 11-0 |
| 10. Boyce &
Delehanty
Intro. 445
Res. 319
29-0 | 21-0336 | Accepting Grant from New York State Governor's Traffic Safety Committee for Child Passenger Safety Program (Department of Public Safety)
Public Safety Committee; September 27, 2021 – CV: 7-0
Ways and Means Committee; September 28, 2021 – CV: 11-0 |
| 13. Boyce &
Delehanty
Intro. 446
Res. 320
29-0 | 21-0339 | Authorizing Contract with Matrix Consulting Group to Conduct Staffing Analysis Study for Monroe County Sheriff's Office
Public Safety Committee; September 27, 2021 – CV: 8-0
Ways and Means Committee; September 28, 2021 – CV: 11-0 |
| 14. Boyce &
Delehanty
Intro. 447
Res. 321
29-0 | 21-0340 | Accepting Grant from New York State Governor's Traffic Safety Committee for Police Traffic Services Program
Public Safety Committee; September 27, 2021 – CV: 8-0
Ways and Means Committee; September 28, 2021 – CV: 11-0 |
| 15. Boyce &
Delehanty
Intro. 448
Res. 322
29-0 | 21-0341 | Accepting Grant from New York State Canal Corporation for New York State Canal Corporation Marine Patrol Matching Grant Program
Public Safety Committee; September 27, 2021 – CV: 8-0
Ways and Means Committee; September 28, 2021 – CV: 11-0 |
| 16. Keller &
Delehanty
Intro. 449
Res. 323
27-0 | 21-0342 | Authorizing Contract with County of Monroe Industrial Development Agency for Economic Development Activities, Staff Services and Office Expenses
Planning & Economic Development Committee; September 27, 2021 – CV: 5-0
Ways and Means Committee; September 28, 2021 – CV: 11-0 |

17. Keller & Delehanty
Intro. 450
Res. 324
29-0
21-0343 Authorizing Contract with Greater Rochester Enterprise, Inc. for General Operating Expenses
Planning & Economic Development Committee; September 27, 2021 - CV: 5-0
Ways and Means Committee; September 28, 2021 - CV: 11-0
18. Allkofer & Delehanty
Intro. 451
Res. 325
29-0
21-0344 Accepting Grant from Institute of Museum and Library Services to Update the Guest Experience at Seneca Park Zoo Animal Hospital
Recreation & Education Committee; September 27, 2021 – CV: 5-0
Ways and Means Committee; September 28, 2021 – CV: 11-0
19. Allkofer & Delehanty
Intro. 452
Res. 326
29-0
21-0345 Accepting Grant from New York State Office of Parks, Recreation and Historic Preservation for Snowmobile Trail Development and Maintenance Program and Authorizing Contracts with Hilton Sno-Flyers, Inc., Webster Ridge Runners Snowmobile Club, Inc., Salmon Creek Snowmobile Club, Inc., and Hill and Gully Riders, Inc. for Development and Maintenance of Trails
Recreation & Education Committee; September 27, 2021 – CV: 5-0
Ways and Means Committee; September 28, 2021 – CV: 11-0
20. Colby & Delehanty
Intro. 453
Res. 327
29-0
21-0346 Authorizing Traffic Signal Agreement with Kerry Ventures Portland, LLC to Perform Traffic Signal Operation and Maintenance Services for Traffic Signal #694 Located at Intersection of Portland Avenue and Chick-Fil-A in Town of Irondequoit
Transportation Committee; September 28, 2021 – CV: 7-0
Ways and Means Committee; September 28, 2021 – CV: 11-0
21. Colby & Delehanty
Intro. 454
Res. 328
29-0
21-0347 Accepting Federal and State Aid for Operation and Maintenance of Rochester/Monroe Traffic Control Center
Transportation Committee; September 28, 2021 – CV: 7-0
Ways and Means Committee; September 28, 2021 – CV: 11-0
22. Taylor & Delehanty
Intro. 455
Res. 329
29-0
21-0348 Accepting Grant from New York State Department of Health and Amending Resolution 14 of 2021 to Increase Contract with Affinity Rehabilitation, LLP for Early Intervention Program
Human Services Committee; September 28, 2021 – CV: 8-0
Ways and Means Committee; September 28, 2021 – CV: 11-0
23. Taylor & Delehanty
Intro. 456
Res. 330
29-0
21-0349 Authorizing Contract with Health System Services, Ltd. to Provide Medicare B Products and Supplies for Residents of Monroe Community Hospital
Human Services Committee; September 28, 2021 – CV: 8-0
Ways and Means Committee; September 28, 2021 – CV: 11-0
24. Taylor & Delehanty
Intro. 457
Res. 331
29-0
21-0350 Authorizing Contract with Jensen Hughes, Inc. to Provide an Emergency Preparedness Program for Monroe Community Hospital
Human Services Committee; September 28, 2021 – CV: 8-0
Ways and Means Committee; September 28, 2021 – CV: 11-0
25. Wright & Keller
Intro. 458
Res. 332
21-0351 Classification of Action and Determination of Significance Pursuant to State Environmental Quality Review Act for the Acquisition of Interests in Real Property for Traffic Signal Located at 1905 and 1925 S. Clinton Avenue in Town of Brighton
Environment & Public Works Committee; September 27, 2021 – CV: 6-0

29-0

26. Delehanty & Hebert
Intro. 459
Res. 333
29-0
- 21-0352 Authorizing Acquisition of Interests in Real Property for Permanent Easements for South Clinton Avenue Traffic Signal at 1905 and 1925 South Clinton Avenue in Town of Brighton
Ways and Means Committee; September 28, 2021 – CV: 11-0
27. Delehanty & Hebert
Intro. 460
Res. 334
29-0
- 21-0353 Directing the Refund of Certain Monroe County Taxes Levied and Collected Against Property in Town of Brighton
Ways and Means Committee; September 28, 2021 – CV: 11-0
28. Wright & Delehanty
Intro. 461
Res. 335
29-0
- 21-0354 Accepting Grant from Federal Aviation Administration (Airport Rescue Grant Program) Related to Operation and Maintenance of Frederick Douglass – Greater Rochester International Airport
Environment & Public Works Committee; September 27, 2021 – CV: 6-0
Ways and Means Committee; September 28, 2021 – CV: 10-0
33. Allkofer & Delehanty
Intro. 462
Res. 336
29-0
- 21-0362 Authorizing License and Operating Agreements with Seneca Park Zoo Society, Inc. and SSA Group, LLC for Seneca Park Zoo
Recreation and Education Committee; September 27, 2021 – CV: 5-0
Ways and Means Committee; September 28, 2021 – CV: 11-0
34. Ancello & Hebert
Delehanty
Intro. 463
Res. 337
29-0
- 21-0363 Authorizing Intermunicipal Agreements and Contracts with Schools in Monroe County for COVID-19 Testing
Intergovernmental Relations Committee; September 28, 2021 – CV: 4-0
Human Services Committee; September 28, 2021 – CV: 8-0
Ways and Means Committee; September 28, 2021 – CV: 11-0
11. Boyce & Delehanty
Intro. 464
Res. 338
29-0
- 21-0337 Amending Resolution 224 of 2019 to Accept Additional Funding from New York State Office of Victim Services for Victim Assistance Grant Program for District Attorney’s Office
Public Safety Committee; September 27, 2021 – CV: 8-0
Ways and Means Committee; September 28, 2021 – CV: 11-0
12. Boyce & Delehanty
Intro. 465
Res. 339
29-0
- 21-0338 Amending Resolution 225 of 2019 to Accept Additional Funding from New York State Office of Victim Services for Sheriff’s Victim Assistance Program
Public Safety Committee; September 27, 2021 – CV: 8-0
Ways and Means Committee; September 28, 2021 – CV: 11-0
29. Ancello & Taylor
Delehanty
Intro. 466
- 21-0355 Authorizing Intermunicipal Agreements with Municipalities for Rochester-Monroe Youth Bureau Programs in 2021
Intergovernmental Relations Committee; September 28, 2021 – CV: 4-0
Human Services Committee; September 28, 2021 – CV: 8-0
Ways and Means Committee; September 28, 2021 – CV: 11-0
- Intro. 467
M. 111
- Boyce & DiFlorio
PROVIDING THAT INTRO. NO. 466 OF 2021 BE TABLED

Be It Moved, that Intro. No. 466 of 2021 be, and hereby is, tabled.

22-7

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

30. Taylor &
Delehanty
Intro. 468

21-0356

Authorizing Contracts with Not-For-Profit Agencies for Rochester-Monroe County Youth Bureau Programs in 2021
Human Services Committee; September 28, 2021 – CV: 8-0
Ways and Means Committee; September 28, 2021 – CV: 11-0

Intro. 469
M. 112

Boyce & DiFlorio
PROVIDING THAT INTRO. NO. 468 OF 2021 BE TABLED
Be It Moved, that Intro. No. 468 of 2021 be, and hereby is, tabled.

23-6

(Legislators Barnhart, Hasman, Keophetlasy, Maffucci, Morelle, Jr., and Wilcox Voted in the Negative.)

31. Delehanty &
Hebert
Intro. 470
Res. 340
29-0

21-0357

Authorization to Enter into Settlement and Release of Claims Agreement with Excellus Health Plan, Inc. d/b/a Excellus BlueCross BlueShield
Ways and Means Committee; September 28, 2021 – CV: 11-0

32. Delehanty &
Allkofer
Intro. 471
Res. 341
28-1

21-0358

Authorizing Increase to Contract with Greater Rochester Visitors Association, Inc. to Provide Management, Planning and Production of Monroe County Bicentennial Celebration and Authorizing Interdepartmental Appropriation Transfer
Ways and Means Committee; September 28, 2021 – CV: 11-0
Recreation and Education Committee; September 27, 2021 – CV: 1-4

36. Delehanty &
Hebert
Intro. 472
Res. 342
29-0

21-0391

Authorizing Acceptance of Local Government Records Management Improvement Fund Grant from New York State Archives for Records Management and Digitization Project
Matter of Urgency

UNFINISHED BUSINESS

Upon Motion by Legislator Brew, the Legislature Adjourned at 8:54 P.M. until **Tuesday, November 9, 2021 at 6:00 P.M.**

David Grant
Clerk of the Legislature