

SECOND DAY

TUESDAY, JANUARY 26, 2021

Legislature met pursuant to Special Meeting Notice

President Dr. Joe Carbone in the Chair.

ROLL CALL

Present – Legislators Allkofer*, Ancello*, Barnhart*, Bauroth*, Baynes*, Boyce*, Brew*, Carbone, Colby*, Delehanty*, DiFlorio*, Dondorfer*, Felder*, Hasman*, Hebert*, Keophetlasy*, LaMar*, Lee, Jr.*, Maffucci*, Marianetti*, Morelle, Jr.*, Roman*, Smith*, Taylor*, Terp*, Wilcox*, Wilt*, Yudelson*– 28

Absent– Flagler-Mitchell*– 1

* Legislator Participated in the Meeting via Teleconference in Accordance with Executive Order 202.1 and 202.87, issued by Governor Andrew M. Cuomo.

SUSPENSION OF THE RULES

Intro. 42
M. 15
28-0

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 JANUARY 26, 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.

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

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. President Carbone stated the meeting has been closed to the public and all Legislators are participating via video or teleconference in accordance with Executive Order 202.1 and 202.87. President Carbone also noted that keeping with the Legislature’s tradition of openness, the meeting is being live-streamed on YouTube through the Legislature’s official channel.

President Carbone stated that Legislature will consider a motion to recess the Special Meeting and convene a Committee of the Whole. In doing so, the Legislature will discharge those items currently referred to Committee and commit them to the Committee of the Whole. President Carbone also stated that following the conclusion of the Committee of the Whole, the Legislature would consider two items for final adoption by the full Legislature – agenda item numbers 25 and 26

PETITIONS AND COMMUNICATIONS

From the President of the Legislature – DR. JOE CARBONE

Regarding Calling a Special Meeting of the Legislature.

Read and Print. (File No. 21-0033)

January 26, 2021

Mr. Jack Moffitt, Clerk
Monroe County Legislature
407 County Office Building
Rochester, New York 14614

RE: Special Meeting of the Monroe County Legislature

Dear Mr. Moffitt:

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, January 26, 2021 at 5:30 p.m. in the Chambers of the Legislature, 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 January 26, 2021;

Providing that File Nos. 21-0005, 21-0006, 21-0009 through 21-0028, 21-0030, and 21-0031 be Discharged from the Public Safety, Planning and Economic Development, Transportation, Human Services, Environment and Public Works, and Ways and Means Committees; Providing that the Legislature Convene a Committee of the Whole; Providing that File Nos. 21-0005, 21-0006, 21-0009 through 21-0028, 21-0030, and 21-0031 be Committed to the Committee of the Whole;

Amending 2021 Monroe County Budget to authorize Increase to Veterans Service Agency Budget to Add Additional County Service Worker Position and Implement Pilot Ecotherapy Program for Veterans (File No. 21-0005);

Confirming Appointment to Monroe County Board of Ethics (File No. 21-0034).

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
Monroe County Legislature
President

OTHER COUNTY OFFICIALS

Jack Moffitt, Clerk of the Legislature – Regarding Calling a Special Meeting of the Monroe County Legislature.

Read and Print. (File No. 21-0032)

January 26, 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, January 26, 2021 at 5:30 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 January 26, 2021;

Providing that File Nos. 21-0005, 21-0006, 21-0009 through 21-0028, 21-0030, and 21-0031 be Discharged from the Public Safety, Planning and Economic Development, Transportation, Human Services, Environment and Public Works, and Ways and Means Committees; Providing that the Legislature Convene a Committee of the Whole; Providing that File Nos. 21-0005, 21-0006, 21-0009 through 21-0028, 21-0030, and 21-0031 be Committed to the Committee of the Whole;

Amending 2021 Monroe County Budget to authorize Increase to Veterans Service Agency Budget to Add Additional County Service Worker Position and Implement Pilot Ecotherapy Program for Veterans (File No. 21-0005);

Confirming Appointment to Monroe County Board of Ethics (File No. 21-0034).

Sincerely,
Jack Moffitt
Clerk of the Legislature

PUBLIC FORUM

An Open Forum was conducted. No written comments were submitted or read, and the Open Forum concluded at 5:38 P.M.

MOTIONS, RESOLUTIONS AND NOTICES

1. Brew & DiFlorio
Intro. 43
M. 16
28-0
- Providing that File Nos. 21-0005, 21-0006, 21-0009 through 21-0028, 21-0030, and 21-0031 be Discharged from the Public Safety, Planning and Economic Development, Intergovernmental Relations, Transportation, Human Services, Environment and Public Works, and Ways and Means Committees; Providing that the Legislature Convene a Committee of the Whole; Providing that File Nos. 21-0005, 21-0006, 21-0009 through 21-0028, 21-0030, and 21-0031 be Committed to the Committee of the Whole

RECESS

A recess was declared by President Carbone to allow for a meeting of the **Committee of the Whole**.

RECONVENING LEGISLATURE

President Carbone reconvened the recessed special meeting of January 26, 2021 and proceeded under the Usual Order of Business.

MOTIONS, RESOLUTIONS AND NOTICES

25. Hebert, 21-0005 Amending 2021 Monroe County Budget to Authorize Increase to Veterans Service Agency Budget to Add Additional County Service Officer Position and Implement a Pilot Ecotherapy Program for Veterans
Allkofer, Committee of the Whole; January 26, 2020 – CV: 28-0
Wilt &
Maffucci
Intro. 44
Res. 28
28-0
26. Taylor & 21-0034 Confirming Appointment to Monroe County Board of Ethics
Delehanty Matter of Urgency
Intro. 45
Res. 29
28-0

President Carbone upheld Legislator LaMar's **POINT OF ORDER**. Legislator Barnhart **APPEALED THE RULING OF THE CHAIR** and Legislator Baynes **SECONDED** the motion. A vote was taken and the Ruling of the Chair was **SUSTAINED** by the following vote:

Ayes - Legislators, Brew, Felder, Allkofer, Ancello, Boyce, Colby, Delehanty, DiFlorio, Dondorfer, Hebert, Keophetlasy, LaMar, Lee, Marianetti, Smith, Taylor, Terp, Wilt, and President Carbone – 19

Nays - Legislators Barnhart, Bauroth, Baynes, Hasman, Maffucci, Morelle, Roman, Wilcox, and Yudelson – 9

UNFINISHED BUSINESS

None

Upon Motion by Legislator Brew, the Legislature Adjourned at 8:23 P.M. until **Tuesday, February 9, 2021 at 6:00 P.M.**

JACK MOFFITT
Clerk of the Legislature