

**FIRST DAY**

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**TUESDAY, JANUARY 10, 2023**

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Legislature met pursuant to adjournment.

President LaMar in the Chair.

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**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

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**MOMENT OF PRAYER**

The meeting formally opened. Reverend Michael Sloan, of the First Congregational Church of Spencerport, led a moment of prayer

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**IN MEMORIAMs**

45. Brew & Roman Intro. 1 Res.1 29-0	23-0022	Expressing Regret of the Monroe County Legislature on the Recent Passing of Kenneth LaMar, Brother of Monroe County Legislature President Sabrina LaMar  <i>Matter of Urgency</i>
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**APPROVAL OF MINUTES**

Without objection, the Journals of Day 17 December 13, 2022, Day 18, December 23, 2022 Special Meeting, Day 19, December 29, 2022 Special Meeting were approved as submitted.

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**PETITIONS AND COMMUNICATIONS**

*None*

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**PROCLAMATION**

**By the President of the Legislature – Sabrina LaMar**

**Recognized jointly with President Sabrina LaMar, Legislator Paul Dondorfer, honored Terry Mandelaro for their Commitment to Serving Rochester and Monroe County through various jobs in radio to promote the Rochester Area**  
Read and Filed.

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## RECESS

A recess was declared by President LaMar to allow for a series of Public Hearings before the Legislature.

*“Approving Increase and Improvement of Facilities in Northwest Quadrant Pure Waters District – General Pump Station, Interceptor and Treatment Plant Improvements and Authorizing an Appropriation Transfer”*

*“Approving Increase and Improvement of Facilities in Gates-Chili-Ogden Sewer District – General Collection System Improvements and Authorizing an Appropriation Transfer”*

*“Approving Increase and Improvement of Facilities in Rochester Pure Waters District – General Collection System and Treatment Plant Improvements and Authorizing Interfund Transfer”*

*“Approving Increase and Improvement of Facilities in Irondequoit Bay South Central Pure Waters District – General Pump Station and Interceptor Improvements and Authorizing Interfund Transfer”*

*“Approving Increase and Improvement of Facilities in Irondequoit Bay South Central Pure Waters District – Lake Ontario Resiliency & Economic Development Initiative (REDI) – Sandbar WWPS Project”*

No speakers addressed the Legislature and the Public Hearings concluded at 6:20 p.m.

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## RECONVENING THE LEGISLATURE

President LaMar reconvened the recessed meeting of January 10, 2023 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 four speakers and the Open Forum concluded at 6:27 P.M.

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## CONSIDERATION OF LOCAL LAWS

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| 1. Smith &<br>Delehanty<br>Intro. 2<br>LL #tba<br>29-0 | 23-0003.LL Enacting a Local Law Entitled “Increasing Income Limitation Regarding Real Property Tax Exemption Granted to Persons Aged 65 or Over”<br><i>Matter of Urgency</i>                       |
| 2. Smith &<br>Delehanty<br>Intro. 3<br>LL #tba<br>29-0 | 23-0004.LL Enacting a Local Law Entitled “Increasing Income Limitation Regarding Real Property Tax Exemption Granted to Persons with Disabilities and Limited Incomes”<br><i>Matter of Urgency</i> |
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### MOTIONS, RESOLUTIONS AND NOTICES

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|---|---------|---|
| 3. McCabe & Smith<br>Intro. 4<br>M. 1<br>29-0                                     | 22-0379 | Providing that Resolution (Intro. No. 456 of 2022) Entitled “Approving Increase and Improvement of Facilities in Northwest Quadrant Pure Waters District – General Pump Station, Interceptor and Treatment Plant Improvements and Authorizing Interfund Transfer” Be Lifted from the Table        |
| 4. McCabe & Smith<br>Intro. 5<br>M. 2<br>29-0<br><br>Intro. 456<br>Res. 2<br>29-0 | 22-0379 | Providing that Resolution (Intro. No. 456 of 2022), Entitled “Approving Increase and Improvement of Facilities in Northwest Quadrant Pure Waters District – General Pump Station, Interceptor and Treatment Plant Improvements and Authorizing Interfund Transfer,” Be Adopted<br><br>Main Motion |
| 5. McCabe & Smith<br>Intro. 6<br>M. 3<br>29-0                                     | 22-0381 | Providing that Resolution (Intro. No. 459 of 2022), Entitled “Approving Increase and Improvement of Facilities in Gates-Chili-Ogden Sewer District – General Collection System Improvements Project and Authorizing an Interfund Transfer,” Be Lifted from the Table                              |
| 6. McCabe & Smith<br>Intro. 7<br>M. 4<br>29-0<br><br>Intro. 459<br>Res. 3<br>29-0 | 22-0381 | Providing that Resolution (Intro. No. 459 of 2022), Entitled “Approving Increase and Improvement of Facilities in Gates-Chili-Ogden Sewer District – General Collection System Improvements Project and Authorizing an Interfund Transfer,” Be Adopted<br><br>Main Motion                         |
| 7. McCabe & Smith<br>Intro. 8<br>M. 5<br>29-0                                     | 22-0383 | Providing that Resolution (Intro. No. 462 of 2022), Entitled “Approving Increase and Improvement of Facilities to Rochester Pure Waters District – General Collection System and Treatment Plant Improvements,” Be Lifted From the Table  |
| 8. McCabe & Smith<br>Intro. 9<br>M. 6<br>29-0<br><br>Intro. 462<br>Res. 4<br>29-0 | 22-0383 | Providing that Resolution (Intro. No. 462 of 2022), Entitled “Approving Increase and Improvement of Facilities to Rochester Pure Waters District – General Collection System and Treatment Plant Improvements,” Be Adopted<br><br>Main Motion   |
| 9. McCabe & Smith<br>Intro. 10<br>M. 7<br>29-0                                    | 22-0385 | Providing that Resolution (Intro. No. 465 of 2022), Entitled “Approving Increase and Improvement of Facilities in Irondequoit Bay South Central Pure Waters District - General Pump Station and Interceptor Improvements and Authorizing an Interfund Transfer,” Be Lifted from the Table         |
| 10. McCabe & Smith<br>Intro. 11<br>M. 8   | 22-0385 | Providing that Resolution (Intro. No. 465 of 2022), Entitled “Approving Increase and Improvement of Facilities in Irondequoit Bay South Central Pure Waters District - General Pump Station and Interceptor Improvements and Authorizing an Interfund Transfer,” Be Adopted                       |

29-0

Intro. 465  
Res. 5  
29-0

Main Motion

11. McCabe & Smith  
Intro. 12  
M. 9  
29-0
- 22-0387 Providing that Resolution (Intro. No. 468 of 2022), Entitled “Approving Increase and Improvement of Facilities in Irondequoit Bay South Central Pure Waters District – Lake Ontario Resiliency & Economic Development Initiative (REDI) – Sandbar WWPS Project”, Be Lifted from the Table
12. McCabe & Smith  
Intro. 13  
M. 10  
29-0
- 22-0387 Providing that Resolution (Intro. No. 468 of 2022), Entitled “Approving Increase and Improvement of Facilities in Irondequoit Bay South Central Pure Waters District - Lake Ontario Resiliency & Economic Development Initiative (REDI) – Sandbar WWPS Project,” Be Adopted
- Intro. 468  
Res. 6  
29-0
13. McCabe & Smith  
Intro. 14  
  
Res. 7  
29-0
- 22-0387.br Resolution Authorizing the Issuance of \$495,000 Bonds of the County of Monroe, New York, to Finance the Cost of Lake Ontario REDI – Sandbar WWPS Project, in and for the Irondequoit Bay South Central Pure Waters District, in and for said County, at an Estimated Maximum Cost of \$495,000 and Superseding the Bond Resolution Adopted on April 14, 2020 (Resolution No. 125 of 2020)  
Environment and Public Works Committee; November 28, 2022 – CV: 7-0  
Ways and Means Committee; December 8, 2022 – CV: 10-0
14. McCabe & Smith  
Intro. 15  
Res. 8  
29-0
- 22-0443 Authorizing Contract with The Pike Company, Inc. for Construction Management Services for Monroe Community College Applied Technology Center – S.T.E.M. Addition Project  
Environment and Public Works Committee; December 20, 2022 – CV: 6-0  
Ways and Means Committee; December 20, 2022 – CV: 10-0
15. McCabe & Smith  
Intro. 16  
Res. 9  
29-0
- 22-0444 Authorizing Contract with Labella Associates, D.P.C. for Professional Design Services for Monroe Community College Applied Technology Center – S.T.E.M. Addition Project  
Environment and Public Works Committee; December 20, 2022 – CV: 6-0  
Ways and Means Committee; December 20, 2022 – CV: 10-0
16. McCabe & Smith  
Intro. 17  
Res. 10  
23-6
- 22-0445 Authorizing Contract with Bergman Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. for Professional Design Services for Multimodal Freight Initiative Planning Project  
Environment and Public Works Committee; December 20, 2022 – CV: 5-1  
Ways and Means Committee; December 20, 2022 – CV: 10-0  
*(Legislators Barnhart, Delvecchio Hoffman, Hasman, Hughes-Smith, Vazquez Simmons, LaMar Voted in the Negative.)*
17. McCabe & Smith  
Intro. 18  
Res. 11  
29-0
- 22-0446 Amending 2023-2028 Capital Improvement Program to Add Project Entitled “MCRC & RRF Ancillary Facilities Improvements” Project  
Environment and Public Works Committee; December 20, 2022 – CV: 6-0  
Ways and Means Committee; December 20, 2022 – CV: 10-0
18. McCabe & Smith  
Intro. 19
- 22-0446.br Resolution Authorizing the Issuance of \$905,000 Bonds of the County of Monroe, New York, to Finance the Cost of MCRC & RRF Ancillary Facilities Improvements, in and for Said County, at an Estimated Maximum Cost of \$905,000

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| Res. 12<br>29-0  |         | Environment and Public Works Committee; December 20, 2022 – CV: 6-0<br>Ways and Means Committee; December 20, 2022 – CV: 10-0   |
| 19. McCabe &<br>Johns<br>Intro. 20<br>Res. 13<br>29-0          | 22-0447 | Classification of Action and Determination of Significance Pursuant to State Environmental Quality Review Act for Acquisition of Real Property for Aldrich Road Highway Improvement Project in Town of Perinton<br>Environment and Public Works Committee; December 20, 2022 – CV: 6-0  |
| 20. Smith &<br>Delehanty<br>Intro. 21<br>Res. 14<br>29-0       | 22-0448 | Authorizing Acquisition of Interests in Real Property for Aldrich Road Highway Improvement Project in Town of Perinton<br>Ways and Means Committee; December 20, 2022 – CV: 10-0  |
| 21. McCabe &<br>Johns<br>Intro. 22<br>Res. 15<br>29-0          | 22-0449 | Classification of Action and Determination of Significance Pursuant to State Environmental Quality Review Act for Acquisition of Real Property for Middle Road Highway Improvement Project in Town of Henrietta<br>Environment and Public Works Committee; December 20, 2022 – CV: 6-0  |
| 22. Smith &<br>Delehanty<br>Intro. 23<br>Res. 16<br>29-0       | 22-0450 | Authorizing Acquisition of Interests in Real Property for Middle Road Highway Improvement Project in Town of Henrietta<br>Ways and Means Committee; December 20, 2022 – CV: 10-0  |
| 23. DiFlorio &<br>Smith<br>Intro. 24<br>Res. 17<br>29-0        | 22-0451 | Authorizing Amendment to Monroe County’s 2019 Annual Action Plan for Housing and Community Development in Suburban Monroe County and Submission of Amendment to U.S. Department of Housing and Urban Development Planning and Economic Development Committee; December 20, 2022 – CV: 5-0<br>Ways and Means Committee; December 20, 2022 – CV: 10-0 |
| 24. Keller &<br>Smith<br>Roman<br>Intro. 25<br>Res. 18<br>29-0 | 22-0452 | Accepting Grant from Substance Abuse and Mental Health Services Administration for Monroe County BIPOC Peer Advocate Training and Development Program<br>Human Services Committee; December 20, 2022 – CV: 8-0<br>Ways and Means Committee; December 20, 2022 – CV: 10-0  |
| 25. Keller &<br>Smith<br>Intro. 26<br>Res. 19<br>29-0          | 22-0453 | Accepting Grant from National Association of County and City Health Officials for Medical Reserve Corps Capacity Building Program Entitled “Medical Reserve Corps (MRC) COVID-19 Respond, Innovate, Sustain and Equip (RISE)”<br>Human Services Committee; December 20, 2022 – CV: 8-0<br>Ways and Means Committee; December 20, 2022 – CV: 10-0    |
| 26. Morris &<br>Smith<br>Intro. 27<br>Res. 20<br>29-0          | 22-0454 | Authorizing Traffic Signal Agreement with 2695 Commercial, LLC to Perform Traffic Signal Operation and Maintenance Services for Traffic Signal #225 Located at Intersection of Calkins Road and Fair Avenue in Town of Henrietta<br>Traffic Safety Committee; December 20, 2022 – CV: 7-0<br>Ways and Means Committee; December 20, 2022 – CV: 10-0 |
| 27. Dondorfer &<br>Smith<br>Intro. 28<br>Res. 21<br>29-0       | 22-0455 | Authorizing Contract with Morse Correctional Healthcare & Consulting, Inc. to Provide Qualified Consultant for Monitoring Medical Services at Monroe County Jail<br>Public Safety Committee; December 20, 2022 – CV: 8-0<br>Ways and Means Committee; December 20, 2022 – CV: 10-0  |
| 28. Dondorfer &<br>Smith                                       | 22-0456 | Amending 2023-2028 Capital Improvement Program to Advance Hazardous Material Fire Truck Replacement from 2024 to 2023   |

- Intro. 29  
Res. 22  
29-0
- Public Safety Committee; December 20, 2022 – CV: 8-0  
Ways and Means Committee; December 20, 2022 – CV: 10-0
29. Dondorfer & Smith  
Intro. 30  
Res. 23  
29-0
- 22-0456.br Resolution Authorizing the Issuance of \$1,300,000 Bonds of the County of Monroe, New York, to Finance the Cost of a Hazardous Material Fire Truck, for Said County, at an Estimated Maximum Cost of \$1,300,000  
Public Safety Committee; December 20, 2022 – CV: 8-0  
Ways and Means Committee; December 20, 2022 – CV: 10-0
30. Dondorfer & Smith  
Intro. 31  
Res. 24  
29-0
- 22-0457 Accepting Grant from New York State Division of Homeland Security and Emergency Services for Reimbursement of FY2022 Emergency Management Performance Grant  
Public Safety Committee; December 20, 2022 – CV: 8-0  
Ways and Means Committee; December 20, 2022 – CV: 10-0
31. Dondorfer & Smith  
Intro. 32  
Res. 25  
29-0
- 22-0458 Accepting Grant from New York State Division of Homeland Security and Emergency Services for FY2022 State Homeland Security Program and Authorizing Contract with University of Rochester  
Public Safety Committee; December 20, 2022 – CV: 8-0  
Ways and Means Committee; December 20, 2022 – CV: 10-0  
*(Legislators Hasman and Long Declared Their Interest Prior to the Vote.)*
32. Dondorfer & Smith  
Intro. 33  
Res. 26  
29-0
- 22-0459 Accepting Grant from New York State Division of Homeland Security and Emergency Services for FY2022 State Law Enforcement Terrorism Prevention Program  
Public Safety Committee; December 20, 2022 – CV: 8-0  
Ways and Means Committee; December 20, 2022 – CV: 10-0
33. Dondorfer & Smith  
Intro. 34  
Res. 27  
29-0
- 22-0460 Accepting Grant from United States Department of Justice, Office of Justice Programs, for 2022 DNA Capacity Enhancement Program  
Public Safety Committee; December 20, 2022 – CV: 8-0  
Ways and Means Committee; December 20, 2022 – CV: 10-0
34. Dondorfer & Smith  
Intro. 35  
Res. 28  
29-0
- 22-0461 Accepting Grant from New York State Division of Homeland Security and Emergency Services for FY2020 Technical Rescue & Urban Search and Rescue Grant Program  
Public Safety Committee; December 20, 2022 – CV: 8-0  
Ways and Means Committee; December 20, 2022 – CV: 10-0
35. Dondorfer & Smith  
Intro. 36  
Res. 29  
29-0
- 22-0462 Accepting Grant from New York State Division of Homeland Security and Emergency Services for 2021-2022 Statewide Interoperable Communications Grant Program  
Public Safety Committee; December 20, 2022 – CV: 8-0  
Ways and Means Committee; December 20, 2022 – CV: 10-0
36. Dondorfer & Smith  
Intro. 37  
Res. 30  
29-0
- 22-0463 Authorizing Contract with Federal Engineering, Inc. for Public Safety Radio Consulting and Engineering  
Public Safety Committee; December 20, 2022 – CV: 8-0  
Ways and Means Committee; December 20, 2022 – CV: 10-0
37. Dondorfer & Smith  
Intro. 38  
Res. 31  
29-0
- 22-0464 Accepting Grant from New York State Office of Indigent Legal Services for Office of Public Defender for Provision of the Fourth Counsel at First Appearance Program  
Public Safety Committee; December 20, 2022 – CV: 8-0  
Ways and Means Committee; December 20, 2022 – CV: 10-0
38. Dondorfer &
- 22-0465 Accepting Grant from United States Department of Justice Drug Enforcement

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| Smith<br>Intro. 39<br>Res. 32<br>29-0  |         | Administration for Drug Enforcement Administration Task Force<br>Public Safety Committee; December 20, 2022 – CV: 8-0<br>Ways and Means Committee; December 20, 2022 – CV: 10-0   |
| 39. Johns &<br>Brew<br>Colby<br>Intro. 40<br>Res. 33<br>29-0                   | 22-0466 | Confirming Appointment to Monroe County Board of Ethics<br>Agenda/Charter Committee; December 20, 2022 – CV: 4-0  |
| 40. Dondorfer &<br>Smith<br>Intro. 41<br>Res. 34<br>29-0                       | 22-0469 | Accepting Grant from New York State Division of Homeland Security and Emergency<br>Services for 2021-22 Public Safety Answering Points Operations Grant Program<br>Public Safety Committee; December 20, 2022 – CV: 8-0<br>Ways and Means Committee; December 20, 2022 – CV: 10-0 |
| 41. Morris &<br>Colby<br>Intro. 42<br>Res. 35<br>29-0                          | 23-0001 | Confirming Appointment to Monroe County Traffic Safety Board<br><i>Matter of Urgency</i>  |
| 42. Brew &<br>Delehanty<br>Intro. 43<br><br>Intro. 44<br>M. 11<br>Out of Order | 23-0002 | Appointment of Legislator Jackie Smith to the County of Monroe Industrial<br>Development Agency<br><i>Matter of Urgency</i><br><br>Hughes-Smith & Roman ( <i>Amendment</i> )<br>Motion to Amend Referral No. 23-0002 as follows:  |

I, Sabrina LaMar, President of the Monroe County Legislature, and in accordance with Sections 856 and 916 of the General Municipal Law, do hereby submit to your Honorable Body for confirmation, the appointment ~~Jackie Smith, 59 Sherwood Drive, Brockport, NY 14420~~ Mercedes Vazquez Simmons, 33 Fein St, Rochester, NY 14605 to the County of Monroe Industrial Development Agency (COMIDA) immediately to serve at the pleasure of the Legislature.

Legislator ~~Smith~~ Vazquez Simmons will be replacing Legislator Sean Delehanty as the representative of the Legislature on this board.

The specific legislative action required is to appoint ~~Jackie Smith, 59 Sherwood Drive, Brockport, NY 14420~~ Mercedes Vazquez Simmons, 33 Fein St, Rochester, NY 14605 to the County of Monroe Industrial Development Agency (COMIDA) to begin immediately to serve at the pleasure of the Legislature.

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| Intro. 45<br>M. 12 | Roman & Hasman<br>Motion to Suspend the Rules of the Monroe County Legislature as follows: |
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PROVIDING THAT RULES OF THE MONROE COUNTY LEGISLATURE BE  
SUSPENDED AND MODIFIED FOR THE REGULAR MEETING ON  
JANUARY 10, 2023

Be It Moved, that Article II, Section 545-6 of the Rules of the Monroe County Legislature, be, and hereby is suspended and modified for the January 10, 2023 Regular Meeting.

- 13-16F *(Legislators Roman, Baynes, Blankley, Burgess, Devecchio Hoffman, Frazier, Hasman, Hughes-Smith, Long, Maffucci, Vazquez Simmons, Vecchio and Yudelson Voted in the Positive.)*
- Intro. 43  
Res. 36  
16-13 *Main Motion  
(Legislators Roman, Barnhart, Baynes, Blankley, Burgess, Devecchio Hoffman, Frazier, Hasman, Hughes-Smith, Long, Vazquez Simmons, Vecchio, Yudelson Voted in the Negative.)*
43. Smith & Brew  
Roman  
Allkofer  
Barnhart  
Baynes  
Blankley  
Burgess  
Colby  
Delehanty  
Devecchio Hoffman  
DiFlorio  
Dondorfer  
Frazier  
Hasman  
Hebert  
Hughes-Smith  
Johns  
Keller  
Long  
Maffucci  
McCabe  
Milne  
Morris  
Taylor  
Vazquez Simmons  
Vecchio  
Yudelson  
LaMar  
Intro. 46  
Res. 37  
29-0
- 23-0005 Providing an Exemption from Sales and Compensating Use Taxes for Receipts from Retail Sales of, and Consideration Given or Contracted to be Given for, Certain Clothing and Footwear, Pursuant to the Authority of Article 29 Of the Tax Law of New York  
*Matter of Urgency*
44. Smith & Delehanty  
Intro. 47  
Res. 38  
28-1
- 23-0006 Amending Resolution 463 of 2022 to Amend the Total Tax Levy – Year 2023  
*Matter of Urgency*
- (Legislator LaMar Voted in the Negative.)*

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**UNFINISHED BUSINESS**

*None*

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Upon Motion by Legislator Brew, the Legislature Adjourned at 7:19 P.M. until **Tuesday, February 14, 2023 at 6:00 P.M.**

**David Grant**  
Clerk of the Legislature