SEVENTH DAY

TUESDAY, JULY 9, 2019

Legislature met pursuant to adjournment.

President Dr. Joe Carbone in the Chair.

ROLL CALL


Absent – Felder, Lightfoot, Micciche, Wilcox – 4

The meeting formally opened. Prayer led by Pastor Eric Helms of Brockport United Methodist Church, at the invitation of Legislator Mike Rockow. The Pledge of Allegiance to the Flag was led by Legislator Karla F. Boyce.

(Note: Legislator Lightfoot entered the Chambers and was present for the remainder of the meeting.)

APPROVAL OF MINUTES

Without objection, the Journal of Day 6, June 14, 2019 was approved as submitted.

PETITIONS AND COMMUNICATIONS

None

PROCLAMATIONS

By the President of the Legislature – Dr. Joe Carbone

(Note: Legislator Felder entered the Chambers.)

Recognized jointly with County Executive Cheryl Dinolfo, Legislator Mike Rockow, and Legislator Mike Zale, Seymour Library, for winning the 2019 Rochester Regional Library Council Public Library of the Year Award. Read and Filed.

Recognized jointly with County Executive Cheryl Dinolfo and Legislator Frank X. Allkofer, Retired Public Employees Association, on its 50th anniversary and unbounding service to the public employee retirees of Monroe County. Read and Filed.

Recognized jointly with Legislator Karla F. Boyce, Legislator John Howland, and Legislator Howard Maffucci, Pittsford Panthers Girls Lacrosse Team, on winning the 2019 Section V Class A Title. Read and Filed.
RECESS

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

“Adoption of 2020-2025 Capital Improvement Program”

No speakers addressed the Legislature and the Public Hearing concluded at 6:15 P.M.

RECONVENING LEGISLATURE

President Carbone reconvened the recessed meeting of July 9, 2019 and proceeded under the Usual Order of Business.

FORMAL COMMITTEE REPORTS

None

PUBLIC FORUM

An Open Forum was conducted to allow speakers to address the Legislature. There were seventeen speakers and the Open Forum concluded at 7:06 P.M.

RECESS

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

RECONVENING LEGISLATURE

(Note: Legislator Felder was not present when the Legislature reconvened.)

President Carbone reconvened the recessed meeting of July 9, 2019 and proceeded under the Usual Order of Business.

CONSIDERATION OF LOCAL LAWS

1. Taylor & Delehanty
   Intro. 184
   19-0160.LL Enacting a Local Law Authorizing Sale of a Surplus Parcel of Real Property, Owned by Monroe County Located at 342-344 East Henrietta Road, City of Rochester, New York to I & L Residential Rochester, LLC
   For Introductory Purposes Only
   Agenda/Charter Committee; June 26, 2019 – CV: 4-0
   Ways and Means Committee; June 26, 2019 - CV: 10-0
   (Note: Legislator Felder entered the Chambers.)

2. Taylor & Delehanty
   Intro. 185
   M. 30
   27-0
   19-0160.LL Providing that Local Law (Intro. No. 184 of 2019), Entitled "Enacting a Local Law Authorizing Sale of a Surplus Parcel of Real Property, Owned by Monroe County Located at 342-344 East Henrietta Road, City of Rochester, New York to I & L Residential Rochester, LLC." Be Tabled
3. Taylor & Delehanty
   Intro. 186
   Res. 158
   27-0

   Public Hearing Scheduled for Tuesday, August 13, 2019 at 6:15 P.M.

   MOTIONS, RESOLUTIONS AND NOTICES

4. DiFlorio & Boyce
   Brew
   Terp
   Hebert
   Zale
   Howland
   Delehanty
   Intro. 187
   M. 31
   27-0

   19-0120   Providing that Resolution (Intro. No. 161 of 2019), Entitled, "Adopting 2020-2025 Capital Improvement Program," Be Lifted from the Table

5. DiFlorio & Boyce
   Brew
   Terp
   Hebert
   Zale
   Howland
   Delehanty
   Intro. 188
   M. 32
   27-0

   Intro. 161
   Res. 159
   27-0


   Main Motion

6. Delehanty & Drawe
   Intro. 189
   Res. 160
   27-0

   19-0141   Confirming Appointments to Board of Directors of Greater Rochester Visitors Association, Inc.

7. Taylor & Brew
   Intro. 190
   Res. 161
   27-0

   19-0148   Confirming Appointment and Reappointments to Monroe County Recycling Advisory Committee
   Agenda/Charter Committee; June 26, 2019 – CV: 4-0

8. DiFlorio & Boyce
   Intro. 191

   19-0149   Authorizing Addition to Western Monroe County Agricultural District
   Planning and Economic Development Committee; June 26, 2019 – CV: 4-0
   *For Introductory Purposes Only*
9. DiFlorio & Boyce
Intro. 192
M. 33
27-0
19-0149 Providing that Resolution (Intro. No. 191 of 2019), Entitled “Authorizing Addition to Western Monroe County Agricultural District,” Be Tabled

10. DiFlorio & Boyce
Intro. 193
Res. 162
27-0
19-0149 Fixing a Public Hearing by the Planning and Economic Development Committee of the Monroe County Legislature on Resolution (Intro. No. 191 of 2019), Entitled “Authorizing Addition to Western Monroe County Agricultural District”
Public Hearing is Scheduled for Monday, July 22, 2019 at 5:15 p.m.

11. Boyce & Delehanty
Intro. 194
Res. 163
27-0
19-0150 Accepting Grant from New York State Department of Agriculture and Markets for Petroleum Product Quality Program
Public Safety Committee; June 26, 2019 - CV: 8-0
Ways and Means Committee; June 26, 2019 - CV: 10-0

12. Hebert & Brew
Intro. 195
Res. 164
27-0
19-0151 Authorizing Intermunicipal Agreement with Town of Greece and Any Other Municipal Corporation to Provide Geographic Information System Data Via Web-based Map Services
Intergovernmental Relation Committee; June 26, 2019 - CV: 3-0
Environment and Public Works Committee; June 26, 2019 - CV: 7-0

13. Howland & Delehanty
Intro. 196
Res. 165
27-0
19-0152 Amending 2019-2024 Capital Improvement Program to Add a Project Entitled "Culverts NY"
Transportation Committee; June 26, 2019 - CV: 6-0
Ways and Means Committee; June 26, 2019 - CV: 10-0

14. Howland & Delehanty
Lightfoot
Intro. 197
Res. 166
27-0
19-0152 Resolution Authorizing the Issuance of $2,564,000 Bonds of the County of Monroe, New York, to Finance the Cost of the Culverts NY Project, in and for said County, an Estimated Maximum Cost of $2,564,000
Transportation Committee; June 26, 2019 - CV: 6-0
Ways and Means Committee; June 26, 2019 - CV: 10-0

15. Howland & Delehanty
Lightfoot
Intro. 198
Res. 167
27-0
19-0153 Authorizing Contract with T.Y. Lin International Engineering, Architecture & Land Surveying, P.C. for Engineering Services for English Road Culverts over Round Pond Creek Tributary and over Kirk Creek in Town of Greece
Transportation Committee; June 26, 2019 - CV: 6-0
Ways and Means Committee; June 26, 2019 - CV: 10-0

16. Howland & Delehanty
Lightfoot
Intro. 199
Res. 168
27-0
19-0154 Authorizing Acquisition of Interests in Real Property for Mendon Center Road Improvement Project between Canfield Road and Calkins Road in Towns of Mendon and Pittsford
Transportation Committee; June 26, 2019 - CV: 6-0
Ways and Means Committee; June 26, 2019 - CV: 10-0

17. Zale & Delehanty
Intro. 200
Res. 169
27-0
19-0155 Accepting Grant from New York State Office for the Aging and Authorizing Contract with Lifespan of Greater Rochester, Inc. for New York Connects Expansion & Enhancement Program
Human Services Committee; June 26, 2019 - CV: 7-0
Ways and Means Committee; June 26, 2019 - CV: 10-0
18. Zale & Delehanty
Intro. 201
Res. 170
27-0

19-0156 Accepting Funding from New York State Office of Mental Health for Psychiatric Emergency Department Diversion Program and Authorizing Contract with Villa of Hope to Operate Psychiatric Emergency Department Diversion Program

19. Delehanty & Delehanty
Intro. 202
Res. 171
27-0

19-0157 Authorizing Contract with Phoenix Business, Inc. d/b/a Phoenix Business Consulting for Production and System Upgrade Support Services

20. Delehanty & Delehanty
Intro. 203
Res. 172
27-0

19-0158 Directing Correction, Cancellation and Levy of Certain Monroe County Taxes in the Village of Webster

21. Delehanty & Delehanty
Intro. 204
Res. 173
27-0

19-0159 Authorizing Sale of County Owned Tax Foreclosure Property Located in Monroe County

22. Delehanty & Delehanty
Intro. 205

19-0161 Authorizing Commencement of Litigation Against the State of New York and Other Necessary Parties to Challenge the Lawfulness of “Driver’s License Access and Privacy Act”

President Carbone ruled in favor of Legislator Marianetti’s POINT OF ORDER. Legislator Bauroth APPEALED THE RULING OF THE CHAIR and Legislator Lightfoot SECONDED the motion. A vote was taken and the Ruling of the Chair was SUSTAINED by the following vote:


Intro. 206
M. 34
17-10

Marianetti/Delehanty (Enter Executive Session)

PROVIDING THAT THIS LEGISLATURE GO INTO EXECUTIVE SESSION

Be It Moved, that this Legislature be, and hereby is, in Executive Session for the purpose of discussing litigation relating to matters dealing with Referral 19-0161.

(Legislators Kaleh, Bauroth, Felder, Flagler-Mitchell, LaMar, Lightfoot, Maffucci, Morelle, Jr., Muoio, and Sheppard Voted in the Negative.)
<table>
<thead>
<tr>
<th>Intro. 207</th>
<th>Muoio/Lightfoot (Suspend the Rules)</th>
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</thead>
<tbody>
<tr>
<td>M. 35</td>
<td>PROVIDING THAT THE RULES OF THE MONROE COUNTY LEGISLATURE BE SUSPENDED</td>
</tr>
<tr>
<td>10-17F</td>
<td>Be It Moved, that the Rules of the Monroe County Legislature be, and hereby are, suspended.</td>
</tr>
<tr>
<td></td>
<td>(Legislators Kaleh, Bauroth, Felder, Flagler-Mitchell, LaMar, Lightfoot, Maffucci, Morelle, Jr., Muoio, and Sheppard Voted in the Positive.)</td>
</tr>
</tbody>
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<table>
<thead>
<tr>
<th>Intro. 208</th>
<th>Marianetti/Delehanty/Bauroth (Exit Executive Session)</th>
</tr>
</thead>
<tbody>
<tr>
<td>M. 36</td>
<td>PROVIDING THAT THE EXECUTIVE SESSION END</td>
</tr>
<tr>
<td>24-3</td>
<td>Be It Moved, that the Executive Session be, and hereby is, ended.</td>
</tr>
<tr>
<td></td>
<td>(Legislators Kaleh, LaMar, and Muoio Voted in the Negative.)</td>
</tr>
</tbody>
</table>

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<tr>
<th>Intro. 205</th>
<th>Main Motion</th>
</tr>
</thead>
<tbody>
<tr>
<td>Res. 174</td>
<td>(Legislators Kaleh, Bauroth, Felder, Flagler-Mitchell, LaMar, Lightfoot, Maffucci, Morelle, Jr., Muoio, and Sheppard Voted in the Negative.)</td>
</tr>
</tbody>
</table>

**Matters of Urgency**

Matter of Urgency  
*For Introductory Purposes Only*


*Public Hearing is Scheduled for Tuesday, July 23, 2019 at 6:00 p.m.*

26. Brew & Delehanty Intro. 212 19-0163 Approving Increase and Improvement of Facilities in Rochester Pure Waters District - Frank E. Van Lare Wastewater Treatment Plant Secondary Clarifier System Improvements  
Matter of Urgency  
*For Introductory Purposes Only*


*Public Hearing Scheduled for Tuesday, August 13, 2019 at 6:16 P.M.*
29. Brew & Delehanty
Intro. 215 19-0165 Approving Increase and Improvement of Facilities in Rochester Pure Waters District - Frank E. Van Lare Wastewater Treatment Plant Electrical System Improvements
   Matter of Urgency
   For Introductory Purposes Only
   (Note: Legislator Felder exited the Chambers and did not return for the reminder of the meeting.)

30. Brew & Delehanty
Intro. 216 M. 39 26-0
   19-0165 Providing that Resolution (Intro. No. 215 of 2019), Entitled "Approving Increase and Improvement of Facilities in Rochester Pure Waters District – Frank E. Van Lare Wastewater Treatment Plant Electrical System Improvements," Be Tabled

31. Brew & Delehanty
Intro. 217 Res. 177 26-0
   19-0165 Calling A Public Hearing for the Purpose of Considering a Proposed Increase and Improvement of Facilities in Rochester Pure Waters District – Frank E. Van Lare Wastewater Treatment Plant Electrical System Improvements
   Public Hearing Scheduled for Tuesday, August 13, 2019 at 6:17 P.M.

32. Delehanty & Drew
Intro. 218 Res. 178 26-0
   19-0167 Amending Resolution 192 of 2018, Standard Work Day and Reporting Resolution for County Elected and Appointed Officials for Retirement Credit Purposes
   Matter of Urgency

UNFINISHED BUSINESS

None

Upon Motion by Legislator Marianetti, the Legislature Adjourned at 8:33 P.M. until Tuesday, August 13, 2019 at 6:00 P.M.

Jack Moffitt
Clerk of the Legislature