TWENTY-FIFTH DAY

TUESDAY, December 8, 2020

Legislature met pursuant to adjournment.

President Dr. Joe Carbone in the Chair.

ROLL CALL


* Legislator Participated in the Meeting via Teleconference in Accordance with Executive Order 202.1 and 202.72, issued by Governor Andrew M. Cuomo.

SUSPENSION OF THE RULES

Intro. 427
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 REGULAR MEETING ON DECEMBER 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.

MOMENT OF PRAYER

The meeting formally opened. Prayer led by Pastor James Cooper. The Pledge of Allegiance to the Flag was led by Legislator Frank Keophetlasy.

APPROVAL OF MINUTES

Without objection, the Journal of Day 24, November 10, 2020, was 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 202.79. 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.)

PETITIONS AND COMMUNICATIONS

None
PROCLAMATIONS

None

RECESS

President Carbone recessed the meeting to allow for a series of Public Hearings entitled…

“Establishing Scale of Charges for the Gates-Chili-Ogden Sewer District, County Sewer District for the County of Monroe, New York”

“Establishing Scale of Charges for the Irondequoit Bay South Central Pure Waters District, County Sewer District for the County of Monroe, New York”

“Establishing Scale of Charges for the Northwest Quadrant Pure Waters District, County Sewer District for the County of Monroe, New York”

“Establishing Scale of Charges for the Rochester Pure Waters District County, Sewer District for the County of Monroe, New York”

No speakers addressed the Legislature and the Public Hearings concluded at 6:19 P.M.

RECONVENING LEGISLATURE

President Carbone reconvened the recessed meeting of December 8, 2020 and proceeded under the Usual Order of Business.

FORMAL COMMITTEE REPORTS

None

PUBLIC FORUM

An Open Forum was conducted. The comments of thirty-four pre-registered participant were read and the Open Forum concluded at 7:14 P.M.

RECESS

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

“Enacting a Local Law Authorizing a Lease by Negotiation with Federal Express Corporation for Real Property at the Greater Rochester International Airport”

No speakers addressed the Legislature and the Public Hearings concluded at 7:16 P.M.

RECONVENING LEGISLATURE

President Carbone reconvened the recessed meeting of December 8, 2020 and proceeded under the Usual Order of Business.

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 December 8, 2020 and proceeded under the Usual Order of Business.

CONSIDERATION OF LOCAL LAWS

1. Taylor & Delehanty
   Intro. 428
   M. 113
   29-0
   20-0285.LL Providing that Local Law (Intro. No. 368 of 2020), Entitled "Amending Monroe County Charter Relating to Term of Office of Members of County Legislature" Be Lifted for the Table

2. Taylor & Delehanty
   Intro. 429
   M. 114
   20-9
   Intro. 368
   Local Law TBD
   20-9
   20-0285.LL Providing that Local Law (Intro. No. 368 of 2020), Entitled "Amending Monroe County Charter Relating to Term of Office of Members of County Legislature" Be Adopted (Legislators Barnhart, Bauroth, Baynes, Hasman, Maffucci, Morelle, Roman, Wilcox, and Yudelson Voted in the Negative)

3. Taylor & Dondorfer
   Delehanty
   Intro. 430
   M. 115
   29-0
   20-0311.LL Providing that Local Law (Intro No. 396 of 2020) Entitled "Enacting a Local Law Authorizing a Lease by Negotiation with Federal Express Corporation for Real Property at the Greater Rochester International Airport," Be Lifted from the Table

4. Taylor & Dondorfer
   Delehanty
   Intro. 431
   M. 116
   29-0
   Intro. 396
   Local Law TBD
   29-0
   20-0311.LL Providing that Local Law (Intro No. 396 of 2020) Entitled "Enacting a Local Law Authorizing a Lease by Negotiation with Federal Express Corporation for Real Property at the Greater Rochester International Airport," Be Adopted

MOTIONS, RESOLUTIONS AND NOTICES

5. Delehanty & Hebert
   Intro. 432
   M. 117
   29-0
   20-0337 Providing that Resolution (Intro No. 424 of 2020), Entitled "Confirming and Adopting Assessment Rolls of Pure Waters Districts for 2021," Be Lifted from the Table

6. Delehanty & Hebert
   Intro. 433
   M. 118
   29-0
   20-0337 Providing that Resolution (Intro No. 424 of 2020), Entitled "Confirming and Adopting Assessment Rolls of Pure Waters Districts for 2021," Be Adopted
7. Allkofer & Boyce
   Intro. 434
   Res. 303
   29-0
   20-0339 Confirming Appointment and Reappointments to Monroe County Library System Board of Trustees

8. Boyce & Delehanty
   Intro. 435
   Res. 304
   29-0
   20-0343 Accepting Grant from United States Department of Justice Drug Enforcement Administration for Drug Enforcement Administration Task Force Public Safety Committee; November 23, 2020 - CV: 9-0 Ways and Means Committee; December 3, 2020 - CV: 11-0

9. Boyce & Ancello
    Delehanty
    Intro. 436
    Res. 305
    29-0
    20-0344 Accepting Grant from New York State Division of Homeland Security and Emergency Services for Operation Stonegarden Program and Authorizing Intermunicipal Agreements with Towns of Greece, Irondequoit, and Webster Public Safety Committee; November 23, 2020 - CV: 9-0 Intergovernmental Relations Committee; November 25, 2020 - CV: 5-0 Ways and Means Committee; December 3, 2020 - CV: 11-0

10. Boyce & Delehanty
    Intro. 437
    Res. 306
    29-0
    20-0345 Accepting Grant from New York State Division of Homeland Security and Emergency Services for Targeted Violence and Terrorism Prevention Grant Program Public Safety Committee; November 23, 2020 - CV: 9-0 Ways and Means Committee; December 3, 2020 - CV: 11-0

11. Boyce & Delehanty
    Intro. 438
    Res. 307
    29-0
    20-0347 Accepting Grant from New York State Office of Indigent Legal Services for Third Counsel at First Appearance Program in the Office of Public Defender Public Safety Committee; November 23, 2020 - CV: 9-0 Ways and Means Committee; December 3, 2020 - CV: 11-0

12. Boyce & Ancello
    Delehanty
    Intro. 439
    Res. 308
    29-0
    20-0349 Accepting Grant from New York State STOP-DWI Foundation, Inc. for DWI Crackdown Weekend Enforcement and Authorizing Intermunicipal Agreements with Eight Municipalities Public Safety Committee; November 23, 2020 - CV: 9-0 Intergovernmental Relations Committee; November 25, 2020 - CV: 5-0 Ways and Means Committee; December 3, 2020 - CV: 11-0

13. Boyce & Ancello
    Intro. 440
    Res. 308
    29-0
    20-0351 Authorizing Intermunicipal Agreement with Orleans County for the Location and Operation of Interoperable Communications Equipment Public Safety Committee; November 23, 2020 - CV: 9-0 Intergovernmental Relations Committee; November 25, 2020 - CV: 5-0

14. Allkofer & Delehanty
    Intro. 441
    M. 119
    29-0
    Providing that File No. 20-0352 be Discharged from the Recreation and Education and Ways and Means Committees
<p>| | | |</p>
<table>
<thead>
<tr>
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</table>
| 15. Allkofer & Delehanty  Intro. 442 | 20-0352 | Amending Resolution 405 of 2019 to Extend the License and Operating Agreement with the Seneca Park Zoo Society, Inc.  
*For Introductory Purposes Only* |
| 16. Allkofer & Delehanty  Intro. 443 M. 120 29-0 | 20-0352 | Providing that Resolution entitled "Amending Resolution 405 of 2019 to Extend the License and Operating Agreement with the Seneca Park Zoo Society, Inc.," be Amended |
| 17. Allkofer & Delehanty  Intro. 442 Res. 310 29-0 | 20-0352 | Providing that Resolution entitled "Amending Resolution 405 of 2019 to Extend the License and Operating Agreement with the Seneca Park Zoo Society, Inc.," be Adopted as Amended |
| 19. Allkofer & Delehanty  Intro. 445 Res. 312 29-0 | 20-0354 | Authorizing the Acceptance of Donation of Property Located at Clover Street in Town of Pittsford Recreation and Education Committee; November 23, 2020 - CV: 5-0 Ways and Means Committee; December 3, 2020 - CV: 11-0 |
| 20. Allkofer & Delehanty  Intro. 446 Res. 313 29-0 | 20-0355 | Amending Resolution 144 of 2011 to Extend License Agreement with The Lilac Festival, Inc. to Produce the Lilac Festival in Highland Park Recreation and Education Committee; November 23, 2020 - CV: 5-0 Ways and Means Committee; December 3, 2020 - CV: 11-0 |
| 21. Taylor & Smith  Intro. 447 Res. 314 29-0 | 20-0356 | Confirming Appointments to Monroe County Board of Health  
Agenda/ Charter Committee; November 23, 2020 - CV: 5-0  
Human Services Committee; November 24, 2020 - CV: 9-0 |
| 22. Smith & Delehanty  Intro. 448 Res. 315 29-0 | 20-0362 | Amending Resolution 111 of 2016 to Increase Contract with URMC Labs, a Division of University of Rochester, for Laboratory Services at Monroe Community Hospital  
Human Services Committee; November 24, 2020 - CV: 9-0  
Ways and Means Committee; December 3, 2020 - CV: 11-0 |
Human Services Committee; November 24, 2020 - CV: 9-0  
Ways and Means Committee; December 3, 2020 - CV: 11-0 |
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<tr>
<th>No.</th>
<th>Author(s)</th>
<th>Resolution #</th>
<th>Title</th>
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<tbody>
<tr>
<td>24.</td>
<td>Smith &amp; Delehanty</td>
<td>20-0370</td>
<td>Accepting Grant from New York State Office for the Aging and Authorizing a Contract with Lifespan of Greater Rochester, Inc. for Lifespan Respite Care Program</td>
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<td>Human Services Committee; November 24, 2020 - CV: 9-0</td>
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<td>Ways and Means Committee; December 3, 2020 - CV: 11-0</td>
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<td>Smith &amp; Delehanty</td>
<td>20-0372</td>
<td>Amending Resolution 109 of 2019 Authorizing Contracts for Preschool Special Education Program</td>
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<td>Human Services Committee; November 24, 2020 - CV: 9-0</td>
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<td>Environmental Public Works Committee; November 25, 2020 - CV: 7-0</td>
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<td>29.</td>
<td>Dondorfer &amp; Delehanty</td>
<td>20-0377</td>
<td>Authorizing Contracts with Atlantic Testing Laboratories, Ltd. and Terracon Consultants - NY, Inc. for Material Testing Term Services</td>
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<td>Environment and Public Works Committee; November 25, 2020 - CV: 7-0</td>
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<td>Ways &amp; Means Committee; December 3, 2020 - CV: 11-0</td>
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<td>30.</td>
<td>Dondorfer &amp; Delehanty</td>
<td>20-0379</td>
<td>Authorizing Contract with Paradigm Environmental Services, Inc. For Professional Environmental Testing Term Services</td>
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<td>Environment and Public Works Committee; November 25, 2020 - CV: 7-0</td>
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<td>Ways &amp; Means Committee; December 3, 2020 - CV: 11-0</td>
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<td>31.</td>
<td>Dondorfer &amp; Ancello</td>
<td>20-0397</td>
<td>Classification of Action and Determination of Significance Pursuant to State Environmental Quality Review Act for Sale of County Owned Tax Foreclosure Property Located at Picture Parkway in the Town of Webster</td>
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<td>Environment and Public Works Committee; November 25, 2020 - CV: 7-0</td>
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<td>32.</td>
<td>Delehanty &amp; Hebert</td>
<td>20-0398</td>
<td>Authorizing Sale of County Owned Tax Foreclosure Property Located at Picture Parkway in Town of Webster</td>
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<td>33. Dondorfer &amp; Ancello 20-0399</td>
<td>Intro. 459 Res. 326 29-0</td>
<td>Classification of Action and Determination of Significance Pursuant to State Environmental Quality Review Act for Sale of County Owned Tax Foreclosure Property Located on State Street in the Town of Wheatland Environment and Public Works Committee; November 25, 2020 - CV: 7-0</td>
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<td>34. Delehanty &amp; Hebert 20-0400</td>
<td>Intro. 460 Res. 327 29-0</td>
<td>Authorizing Sale of County Owned Tax Foreclosure Property Located on State Street in the Town of Wheatland Ways &amp; Means Committee; December 3, 2020 - CV: 11-0</td>
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<td>35. Delehanty &amp; Hebert 20-0401</td>
<td>Intro. 461 Res. 328 29-0</td>
<td>Directing Correction, Cancellation and Levy of Certain Monroe County Taxes in the Town of Henrietta Ways &amp; Means Committee; December 3, 2020 - CV: 11-0</td>
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<tr>
<td>36. Wilt &amp; Delehanty 20-0402</td>
<td>Intro. 462 Res. 329 29-0</td>
<td>Authorizing Contract with Monroe Community College for Development, Implementation, and Management of MPower Healthcare Program Planning &amp; Economic Development Committee; November 24, 2020 - CV: 5-0 Ways &amp; Means Committee; December 3, 2020 - CV: 11-0</td>
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<td>38. Dondorfer &amp; Ancello 20-0404</td>
<td>Intro. 464 Res. 331 29-0</td>
<td>Classification of Action, Designation of Lead Agency, and Determination of Significance, Pursuant to State Environmental Quality Review Act (SEQRA) for Salt Road Phase Rehabilitation Project Environment and Public Works Committee; November 25, 2020 - CV: 7-0</td>
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<td>39. Dondorfer &amp; Ancello 20-0405</td>
<td>Intro. 465 Res. 332 29-0</td>
<td>Classification of Action, Designation Lead Agency, and Determination of Significance, Pursuant to State Environmental Quality Review Act (SEQRA) for Lake Road Phase II Highway Rehabilitation Project Environment and Public Works Committee; November 25, 2020 - CV: 7-0</td>
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<tr>
<td>40. Smith &amp; Delehanty 20-0406</td>
<td>Intro. 466 Res. 333 29-0</td>
<td>Accepting Grant from Regents of the University of New Mexico on behalf of the UNM Health Sciences Center for Participation in Federal Agency for Healthcare Research and Quality Project Extension for Community Healthcare Outcomes, to Advance Improvements in COVID-19 Preparedness, Safety, and Infection Control at Monroe Community Hospital Human Services Committee; November 24, 2020 - CV: 9-0 Ways and Means Committee; December 3, 2020 - CV: 11-0</td>
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<td>41. Smith &amp; Delehanty 20-0407</td>
<td>Intro. 467</td>
<td>Accepting Grant from the CARES Act Provider Relief Fund - HHS Stimulus, COVID Infection/Mortality Rate Incentive Program Distribution, to Support Safeguarding Residents from Perils of Coronavirus Pandemic at Monroe Community Hospital</td>
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Res. 334
29-0

Human Services Committee; November 24, 2020 - CV: 9-0
Ways and Means Committee; December 3, 2020 - CV: 11-0

42. Delehanty & Hebert
Intro. 468
Res. 335
29-0

Applying Agreement Between Monroe County Executive and Civil Service Employees Association - Local 828, Unit 7400
Ways & Means Committee; December 3, 2020 - CV: 11-0

43. Delehanty & Hebert
Intro. 469
Res. 336
29-0

Applying Agreement Between Monroe County Executive and Civil Service Employees Association, Part-Time Unit 7401
Ways & Means Committee; December 3, 2020 - CV: 11-0

44. Delehanty & Hebert
Intro. 470
Res. 337
29-0

Mortgage Tax Distribution
Ways & Means Committee; December 3, 2020 - CV: 11-0

45. Dondorfer & Ancello
Intro. 471
Res. 338
29-0

Confirming Scale of Charges for Each of the Monroe County Pure Waters Districts for 2021
Matter of Urgency

46. Delehanty & Hebert
Intro. 472
Res. 339
29-0

Authorizing Various Budget Appropriation Transfers Related to the 2020 Operating Budget
Matter of Urgency

47. Delehanty & Hebert
Intro. 473
Res. 340
29-0

2020 Equalization Table - Real and Franchise Property and Ratios of Assessed Value to Full Value
Matter of Urgency

48. Delehanty & Hebert
Intro. 474
Res. 341
29-0

Unpaid School Taxes
Matter of Urgency

49. Delehanty & Hebert
Intro. 475
Res. 342
29-0

Authorizing Director of Finance to Make Refunds or Corrections of Taxes for Year 2021
Matter of Urgency
50. Delehanty & Hebert Intro. 476 Res. 343 29-0

51. Delehanty & Hebert Intro. 477 Res. 344 29-0

52. Delehanty & Hebert Morelle Intro. 478 M. 121 29-0

53. Delehanty & Hebert Morelle Intro. 479 M. 122

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RECESS

President Carbone declared a brief recess.

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RECONVENING LEGISLATURE

President Carbone reconvened the recessed meeting of December 8, 2020 and proceeded under the Usual Order of Business.

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53. Delehanty & Hebert Morelle Intro. 480 M. 123

- **20-0336** Providing that Resolution (Intro No. 421 of 2020) Entitled "Adoption of 2021 Monroe County Budget and Establishing 2021 Classification, Compensation and Salary Schedule for Monroe County Employees" Be Adopted

Brew & DiFlorio *(Amendment 1)*

Motion to Amend Intro. 421 as follows:

**PROVIDING THAT INTRO. NO. 421 OF 2020 BE AMENDED**

Be It Moved, that Intro. No. 421 of 2020, be amended as follows:

Section 1. Appropriations are decreased by a total of $50,000 across various departments, general fund 9001, various funds centers as attached, account 504005, Travel, as detailed in the attached Schedule A.

Section 2. Appropriations are decreased by a total of $100,000 across various departments, general fund 9001, various funds centers as attached, account 504505, Cellular Telephone, as detailed in the attached Schedule A.

Section 3. Appropriations are decreased by a total of $1,650,000 across various departments, general fund 9001, various funds centers as attached, account 501000,
Salaries, as detailed in the attached Schedule A.

Section 4. Appropriated Fund Balance is increased by $700,000 in the Department of Finance-Unallocated, general fund 9001, funds center 1209020000, County General, account FBAL, Fund Balance.

Section 5. Appropriations are increased by $2,500,000 in Legislature, general fund 9001, fund center 1001020000, Community Contingency Fund.

(Legislators Barnhart, Bauroth, Baynes, Hasman, Maffucci, Morelle, Roman, Wilcox, and Yudelson Voted in the Negative)

OBJECTED to by the County Executive on December 10, 2020 via file no. 20-0432.

RECONSIDERED and APPROVED by the County Legislature on December 10, 2020 via Motion No. 128 of 2020.

Intro 481 20-0336 Flagler-Mitchell & LaMar (Amendment 2)
M. 124 Motion to Amend Intro. 421 as follows:

PROVIDING THAT INTRO. NO. 421 OF 2020 BE AMENDED
Be It Moved, that Intro. No. 421 of 2020, be amended as follows:

Section 1. The listing of authorized positions for the Board of Election listed on page 705 is hereby amended to read as follows:

BOARD OF ELECTIONS

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<th>Total</th>
<th>Title</th>
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<td>Commissioner of Elections - Democrat</td>
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<td>Deputy Commissioner of Elections</td>
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<td>Assistant Deputy Commissioner – BOE</td>
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<tr>
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<td>Senior Financial Analyst - BOE-Republican</td>
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<td>Election Information Coordinator – BOE</td>
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<td>Election Information Coordinator – Republican</td>
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<td>Finance Analyst – BOE</td>
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<td>Supervisor of Training and Recruitment - BOE-Republican</td>
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<td>Election Information Assistant - BOE-Republican</td>
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<td>Operations Manager - Central Office - BOE-Republican</td>
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<td>Operations Manager - Central Office - BOE-Democrat</td>
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<td>Operations Manager - Service Center - BOE-Republican</td>
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<td>Supervisor of Training – BOE</td>
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<td>Supervisor of Information Services – Democrat</td>
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<td>Operations Manager I - Service Center - BOE-Democrat</td>
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<td>Senior Voting Machine Technician - BOE-Republican</td>
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<td>Supervisor of Absentee Voting - BOE-Republican</td>
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<td>Election Information Service Specialist I - BOE-Democrat</td>
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<td>Election Information Service Specialist II - BOE-Democrat</td>
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<td>Information Services Lead - BOE-Democrat</td>
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</table>
Providing that the question be called

Be it moved that the question be, and hereby is called on Motion No. 124 of 2020.

(Legislators Barnhart, Roman and Wilcox Voted in the Negative)

Objected to by the County Executive on December 10, 2020 via file no. 20-0432.

Reconsidered and approved by the County Legislature on December 10, 2020 via Motion Nos. 128 and 129 of 2020.

Main Motion as Amended

Changes made via Motion Nos. 123 and 124 of 2020 were objected to by County Executive Adam J. Bello on December 10, 2020 via file no. 20-0432.

The changes that were objected to by the County Executive were reconsidered and approved by the County Legislature on December 10, 2020 via Motion Nos. 128 and 129 of 2020.

Note: This resolution became effective immediately upon the adoption of Motion Nos. 128 and 129 of 2020.
RECESS

President Carbone declared a brief recess.

RECONVENING LEGISLATURE

President Carbone reconvened the recessed meeting of December 8, 2020 and notified the Legislature that the County Executive would not be signing the approved budget, and therefore the Legislature would need to adjourn until such time the County Executive acts on the budget.

President Carbone adjourned the Legislature at 11:05 p.m.

Jack Moffitt
Clerk of the Legislature