THIRD DAY

TUESDAY, February 9, 2021

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 202.92, issued by Governor Andrew M. Cuomo.

SUSPENSION OF THE RULES

Intro. 46
M. 17
29-0

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 REGULAR MEETING ON FEBRUARY 9, 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 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 Marlowe Washington of Seneca United Methodist Church, at the invitation of Legislator Morelle. The Pledge of Allegiance to the Flag was led by Legislator John Baynes.

IN MEMORIAM

31. Brew & Felder
Intro. 47
Res. 30
29-0

21-0036

Expressing Regret of the Monroe County Legislature on the Recent Passing of Peter C. Pecor, Former Member of the Monroe County Legislature

Matter of Urgency

32. Brew & Felder
Intro. 48
Res. 31
29-0

21-0037

Expressing Regret of the Monroe County Legislature on the Recent Passing of Daniel Gregory Prial, National Guard Chief Warrant Officer 2

Matter of Urgency
33. Brew & Felder
   Intro. 49
   Res. 32
   29-0

   21-0038 Expressing Regret of the Monroe County Legislature on the Recent Passing of
   Steven Frank Skoda, National Guard Chief Warrant Officer 5
   Matter of Urgency

34. Brew & Felder
   Intro. 50
   Res. 33
   29-0

   21-0039 Expressing Regret of the Monroe County Legislature on the Recent Passing of
   Christian Koch, National Guard Chief Warrant Officer 4
   Matter of Urgency

35. Brew & Felder
   Intro. 51
   Res. 34
   29-0

   21-0040 Expressing Regret of the Monroe County Legislature on the Recent Passing of
   David Shedd Miller,Stepfather of Monroe County Legislator Tracy DiFlorio
   Matter of Urgency

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APPROVAL OF MINUTES

Without objection, the Journals of Day 1, January 12, 2021, and Day 2, January 26, 2021 were 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 202.92. 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.)

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PETITIONS AND COMMUNICATIONS

None

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PROCLAMATIONS

None

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RECESS

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

“Enacting a Local Law Requiring Pharmacies to Provide Notice of the Availability of Naxalone”

One written email comment was read to the Legislature and the Public Hearing concluded at 6:21 P.M.

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RECONVENING LEGISLATURE

President Carbone reconvened the recessed meeting of February 9, 2021 and proceeded under the Usual Order of Business.

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FORMAL COMMITTEE REPORTS

None
An Open Forum was conducted. The comments of fifty-two pre-registered participants were read and the Open Forum concluded at 7:48 P.M.

CONSIDERATION OF LOCAL LAWS

1. **Smith & Wilcox**
   Intro. 52
   M. 18
   29-0
   20-0418.LL Proving that Local Law (Intro No. 2 of 2021), Entitled “Pharmacies to Provide Notice on the Availability of Naloxone,” be Lifted from the Table

2. **Smith & Wilcox**
   Intro. 53
   M. 19
   29-0
   Intro. 2
   Local Law No. TBD
   29-0
   20-0418.LL Providing that Local Law (Intro. No. 2 of 2021), Entitled "Enacting a Local Law Requiring Pharmacies to Provide Notice on the Availability of Naloxone," Be Adopted

MOTIONS, RESOLUTIONS AND NOTICES

3. **Roman & Morelle**
   Barnhart
   Intro. 54
   Res. 35
   29-0
   21-0006 Amending 2021 Operating Budget to Transfer Appropriations from Legislature’s Community Contingency Fund to Department of Diversity, Equity and Inclusion to Fund a Language Access Position
   Committee of the Whole; January 26, 2021- CV: 28-0

4. **Wilt & Boyce**
   Intro. 55
   Res. 36
   29-0
   21-0009 Authorizing the Initiation of Process for Making Additions to Monroe County Agricultural Districts
   Committee of the Whole; January 26, 2021- CV: 28-0

5. **Boyce & Delehanty**
   Intro. 56
   Res. 37
   29-0
   21-0010 Accepting Grant from New York State Division of Homeland Security and Emergency Services for FY2020 Emergency Management Performance Grant
   Committee of the Whole; January 26, 2021- CV: 28-0

6. **Boyce & Delehanty**
   Intro. 57
   Res. 38
   29-0
   21-0011 Accepting Grant from New York State Division of Homeland Security and Emergency Services for FY2020 State Homeland Security Program
   Committee of the Whole; January 26, 2021- CV: 28-0

7. **Boyce & Delehanty**
   Intro. 58
   Res. 39
   29-0
   21-0012 Accepting Grant from United States Bureau of Alcohol, Tobacco, Firearms and Explosives for ATF-Monroe County Sheriff’s Office Explosive Task Force
   Committee of the Whole; January 26, 2021- CV: 28-0
8. Boyce, Ancello & Delehanty
   Intro. 59
   Res. 40
   29-0
   21-0013 Accepting Grant from New York State Division of Criminal Justice Services for Livescan Equipment Grant Program and Authorize Intermunicipal Agreements with Eight Municipalities Monroe County Committee of the Whole; January 26, 2021- CV: 28-0

9. Colby & Delehanty
   Intro. 60
   Res. 41
   29-0
   21-0014 Authorizing Contract with Keeler Construction Co., Inc. for Construction Services for Calkins Road Culvert project over Red Creek Tributary in Town of Henrietta Committee of the Whole; January 26, 2021- CV: 28-0

10. Colby & Delehanty
    Intro. 61
    Res. 42
    29-0
    21-0015 Authorizing Contract with Villager Construction Inc. for Construction Services for Highway Preventive Maintenance #8 Project in Towns of Brighton, Gates, Henrietta, Irondequoit, Ogden, Perinton and Pittsford Committee of the Whole; January 26, 2021- CV: 28-0

11. Colby & Delehanty
     Intro. 62
     Res. 43
     29-0
     21-0016 Authorizing Contract with C.P. Ward, Inc. for Construction Services for Lake Road West Fork Bridge Project over Sandy Creek in the Town of Hamlin Committee of the Whole; January 26, 2021- CV: 28-0

12. Colby & Delehanty
    Intro. 63
    Res. 44
    29-0
    21-0017 Authorizing Contract with Keeler Construction Co., Inc. for Construction Services for Lake Road II Project in the Town of Webster Committee of the Whole; January 26, 2021- CV: 28-0

13. Colby & Delehanty
     Intro. 64
     Res. 45
     29-0
     21-0017br Resolution Authorizing the Issuance of $10,500,000 Bonds of the County of Monroe, New York, to Finance the Cost of Rehabilitation and Improvement of Lake Road, Phase II, from Bay Road to Pellett Road, in and for Said County, at an Estimated Maximum Cost of $10,500,000 and Superseding the Bond Resolution Adopted on December 15, 2020 (Resolution No. 397 of 2020) Committee of the Whole; January 26, 2021- CV: 28-0

14. Colby & Delehanty
    Intro. 65
    Res. 46
    29-0
    21-0018 Authorizing Contract with Accent Stripe, Inc. for Construction Services for Monroe County Pedestrian Safety Action Plan Project Committee of the Whole; January 26, 2021- CV: 28-0

15. Smith & Delehanty
    Intro. 66
    21-0019 Amending Resolution 151 of 2012, as Amended by Resolution 52 of 2020, to Accept Additional Funding from the New York State Department of Health and Extend Time Period for the Beach Act Program Committee of the Whole; January 26, 2021- CV: 28-0 For Introductory Purposes Only

16. Smith & Delehanty
    Intro. 67
    M. 20
    29-0
    21-0019 Providing that Resolution (Intro No. 66 of 2021), Entitled “Amend Resolution 151 of 2012, as Amended by Resolution 52 of 2020, to Accept Additional Funding from the New York State Department of Health and Extend Time Period for the Beach Act Program,” Be Amended
17. Smith & Delehanty
Intro. 68
M. 21
29-0
Providing that Resolution (Intro No. 66 of 2021), Entitled “Amend Resolution 151 of 2012, as Amended by Resolution 52 of 2020, to Accept Additional Funding from the New York State Department of Health and Extend Time Period for the Beach Act Program,” Be Adopted as Amended

Main Motion

18. Smith & Delehanty
Intro. 69
Res. 48
29-0
Amending Resolution 314 of 2017, as Amended by Resolution 244 of 2020, to Accept Additional Funding from New York State Department of Health and Extend Time Period for Nutrition Programs

Committee of the Whole; January 26, 2021- CV: 28-0

19. Smith & Delehanty
Intro. 70
Res. 49
29-0
Accepting Grant from New York State Department of Health for Local Health Department Support for Flu and COVID-19 Response Program and Amending Resolution 128 of 2019, as Amended by Resolution 290 of 2020, to Amend the Authorized Term of a Contract with Reliant Staffing Systems, Inc., D.B.A. Career Start to Provide Nursing and Health Care Provider Services for Monroe County Department of Public Health

Committee of the Whole; January 26, 2021- CV: 28-0

20. Smith & Delehanty
Intro. 71
Res. 50
29-0
Amending Resolution 380 of 2018, as Amended by Resolution 214 of 2019, to Amend and Increase Contract with Reliant Staffing Systems, Inc., D.B.A. Career Start to Include Provision of Registered Nurses to Supervise and Manage Nursing or Support Staff in Monroe County Department of Public Health COVID-19 Response Units

Committee of the Whole; January 26, 2021- CV: 28-0

21. Smith & Delehanty
Intro. 72
Res. 51
29-0
Accepting Grant from New York State Office for the Aging and Authorizing Contract with Lifespan of Greater Rochester, Inc. for New York State Elder Abuse Education and Outreach Program

Committee of the Whole; January 26, 2021- CV: 28-0

22. Dondorfer & Wilt
Intro. 73
Res. 52
29-0
Classification of Action and Determination of Significance Pursuant to State Environmental Quality Review Act for Construction of Snow Removal Equipment (SRE) Building on Vacant Lands Currently Owned by Monroe County

Committee of the Whole; January 26, 2021- CV: 28-0

23. Dondorfer & Wilt
Intro. 74
Res. 53
29-0
Amending 2021-2026 Capital Improvement Program to Advance Airport Snow Removal Equipment (SRE) Building Project at the Greater Rochester International Airport from 2026, 2024, and 2023 to 2021; and Authorizing Contract with Passero Associates, Engineering, Architecture & Surveying, D.P.C. for Design Services for the Project

Committee of the Whole; January 26, 2021- CV: 28-0

24. Dondorfer & Delehanty
Intro. 75
Res. 54
29-0
Resolution Authorizing the Issuance of $6,200,000 Bonds of the County of Monroe, New York, to Finance the Cost of the Airport Snow Removal Equipment (SRE) Building in and for Said County, at an Estimated Maximum Cost of $6,200,000

Committee of the Whole; January 26, 2021- CV: 28-0
25. Colby & Ancello
Boyce
Intro. 76
Res. 55
29-0
21-0025 Confirming Appointment of Director of Transportation Committee of the Whole; January 26, 2021- CV: 28-0

26. Delehanty & Hebert
Flagler-Mitchell
Intro. 77
Res. 56
29-0
21-0026 Confirming Appointment of Director of Office of Public Integrity Committee of the Whole; January 26, 2021- CV: 28-0

27. Delehanty & Hebert
Intro. 78
Res. 57
29-0
21-0027 Authorizing Interfund Transfer from General Fund to Road Fund to Offset 2020 Operating Expenses Committee of the Whole; January 26, 2021- CV: 28-0

28. Dondorfer & Wilt
Intro. 79
Res. 58
29-0
21-0028 Authorizing Monroe County to Submit Funding Applications to Federal, State, and/or Not-for-Profit Funding Assistance Programs Committee of the Whole; January 26, 2021- CV: 28-0

29. Smith & Delehanty
Intro. 80
Res. 59
29-0
21-0031 Amending Resolution 111 of 2016 as Amended by Resolution 315 of 2020 to Amend and Increase Contract with URMC Labs, a Division of University of Rochester, for Laboratory Services at Monroe Community Hospital Committee of the Whole; January 26, 2021- CV: 28-0
(Legislator Hasman declared her interest prior to the vote.)

Matters of Urgency

30. Brew & Boyce
Intro. 81
Intro. 82
M. 22
10-19F
21-0035 Calling Legislative Hearing on Deficiencies in Utilization and Deployment of Monroe County Forensic Intervention Team Matter of Urgency

Barnhart/Baynes (Motion to Table)
PROVIDING THAT INTRO. NO. 81 OF 2021 BE TABLED
Be It Moved, that Intro. No. 81 of 2021 be, and hereby is, tabled.
(Legislators Barnhart, Bauroth, Baynes, Hasman, LaMar, Maffucci, Morelle, Jr., Roman, Wilcox and Yudelson Voted in the Positive.)

Barnhart/Maffucci (Motion to Amend)
PROVIDING THAT INTRO. NO. 81 OF 2021 BE AMENDED
Be It Moved, that Intro. No. 81 of 2021 be amended as follows:

CALLING LEGISLATIVE HEARING ON DEFICIENCIES IN UTILIZATION AND DEPLOYMENT OF MONROE COUNTY FORENSIC INTERVENTION TEAM CALLING PUBLIC MEETING ON THE RECOMMENDATIONS OF THE COUNTY’S MENTAL HEALTH AND SUBSTANCE ABUSE REDESIGN TASK FORCE
Section 1. That there shall be a legislative hearing public meeting at 5:35 P.M. on the 23rd day of February, 2021, in the Legislative Chambers in the County Office Building, Rochester, New York 14614, on the deficiencies in utilization and deployment of Monroe County’s Forensic Intervention Team recommendations of the County’s Mental Health and Substance Abuse Redesign Task Force for improving the delivery of mental health services in the County, with remote participation permitted.

Section 2. The President of the Legislature is hereby authorized to solicit testimony and request the attendance of relevant stakeholders and subject matter experts for said legislative hearing public meeting.

Section 3. The Clerk of the Legislature is directed to give notice of the time and place of this legislative hearing public meeting to all Monroe County Legislators, invited participants, and news media within the County, and that said notice to be published once in an official newspaper of general circulation within the County at least five days before said hearing.

Section 4. This resolution shall take effect immediately.

Added Language is underlined
Deleted Language is struck

9-20F

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

President Carbone upheld Legislator Dondorfer’s POINT OF ORDER. Legislator Baynes APPEALED THE RULING OF THE CHAIR. A vote was taken and the Ruling of the Chair was SUSTAINED by the following vote:


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

Into. 81
Res. 60
22-7

UNFINISHED BUSINESS

Upon Motion by Legislator Brew, the Legislature Adjourned at 10:43 P.M. until Tuesday, March 9, 2021 at 6:00 P.M.

Jack Moffitt
Clerk of the Legislature