TENTH DAY

TUESDAY, May 11, 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 202.107, issued by Governor Andrew M. Cuomo.

SUSPENSION OF THE RULES

Intro. 179 Brew & DiFlorio
M. 40 Motion to Suspend the Rules of the Monroe County Legislature as follows:
29-0

PROVIDING THAT RULES OF THE MONROE COUNTY LEGISLATURE BE SUSPENDED AND MODIFIED FOR THE REGULAR MEETING ON MAY 11, 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. President Carbone requested a moment of silent prayer. The Pledge of Allegiance to the Flag was led by Legislator Howard Maffucci.

APPROVAL OF MINUTES

Without objection, the Journals of Day 8, April 13, 2021, and Day 9, Special Meeting, April 27, 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 202.107. 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

By the President of the Legislature – Dr. Joe Carbone

Recognized jointly with Legislator Paul Dondorfer, Monroe County Law Enforcement Agencies, for their dedicated service to our community during National Police Week 2021.
Read and Filed.

Recognized jointly with Legislator Ernest Flagler-Mitchell, Legislator Sabrina LaMar, Legislator Vincent R. Felder, Legislator Calvin Lee, Jr., and Legislator Frank Keophetlasy, James Holmes, for his commitment to youth football in the City of Rochester.
Read and Filed.

Recognized jointly with Legislator Ernest Flagler-Mitchell, Legislator Sabrina LaMar, Legislator Vincent R. Felder, Legislator Calvin Lee, Jr., and Legislator Frank Keophetlasy, Shawn Watson and Memories Funeral Home, for their efforts to provide comfort and relief to families who lost loved ones during the COVID-19 pandemic.
Read and Filed.

RECESS

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

"Enacting a Local Law Entitled ‘Business Closure Transparency Act’"

Three speakers addressed the Legislature and the Public Hearing concluded at 6:19 P.M.

"Enacting a Local Law Entitled “Operation of Off-Road Vehicles on Public Highways in Monroe County”"

No speakers addressed the Legislature and the Public Hearing concluded at 6:20 P.M.

RECONVENING LEGISLATURE

President Carbone reconvened the recessed meeting of May 11, 2021 and proceeded under the Usual Order of Business.

FORMAL COMMITTEE REPORTS

None

PUBLIC FORUM

An Open Forum was conducted. The comments of fifty-six pre-registered participants were read and the Open Forum concluded at 7:03 P.M.
### CONSIDERATION OF LOCAL LAWS

1. **Brew & Delehanty**  
   Intro. 180  
   M. 41  
   29-0  
   21-0081.LL Providing that Local Law (Intro. No. 135 of 2021), Entitled “Business Closure Transparency Act”, Be Lifted from the Table

2. **Brew & Delehanty**  
   Intro. 181  
   M. 42  
   20-9  
   *(Legislator Barnhart, Bauroth, Baynes, Hasman, Maffucci, Morelle, Jr., Roman, Wilcox and Yudelson Voted in the Negative.)*

3. **Smith & Barnhart**  
   Intro. 182  
   21-0125.LL Enacting Local Law Requiring Motorists to Provide a Minimum of Three Feet of Space When Passing a Bicycle Rider  
   *(For Introductory Purposes Only)*

4. **Smith & Barnhart**  
   Intro. 183  
   M. 43  
   29-0  
   21-0125.LL Providing that Local Law (Intro No. 182 of 2021) entitled Enacting a Local Law Requiring Motorists to Provide a Minimum of Three Feet Space When Passing a Bicycle Rider” be Tabled

5. **Smith & Barnhart**  
   Intro. 184  
   Res. 138  
   29-0  
   21-0125.LL Fixing a Public Hearing on Local Law (Intro No. 182 of 2021) entitled Enacting a Local Law Requiring Motorists to Provide a Minimum of Three Feet Space When Passing  
   *(Public Hearing Scheduled for Tuesday, June 8, 2021 at 6:15 P.M.)*

6. **Brew & Ancello**  
   Intro. 185  
   M. 44  
   29-0  
   21-0131.LL Providing that File No. 21-0131 entitled, “Enact a Local Law Establishing a Sustainable Energy Loan Program (OPEN C-PACE) in Monroe County and Authorize a Contract with Energy Improvement Corporation to Administer the Energize NY Open C-PACE Program,” be Discharged from Committee

7. **Yudelson & Delehanty**  
   Intro. 186  
   21-0131.LL Enact a Local Law Establishing a Sustainable Energy Loan Program (OPEN C-PACE) in Monroe County  
   *(For Introductory Purposes Only)*
8. Yudelson & Ancello Delehanty
   Intro. 187 M. 45 29-0
   Providing Local Law (Intro. No. 186 of 2021) Establishing a Sustainable Energy Loan Program (OPEN C-PACE) in Monroe County, be Tabled

9. Yudelson & Ancello Delehanty
   Intro. 188 Res. 139 29-0
   Fixing a Public Hearing on Local Law (Intro. No. 186 of 2021) Establishing a Sustainable Energy Loan Program (OPEN C-PACE) in Monroe County
   Public Hearing Scheduled for Tuesday, June 8, 2021 at 6:16 P.M.

10. Felder & Flagler-Mitchell
     Intro. 189 M. 46 29-0
     Providing that Local Law (Intro. No. 175 of 2021) entitled, “Operation of Off-Road Vehicles on Public Highways in Monroe County,” be Lifted from the Table

11. Felder & Flagler-Mitchell
     Intro. 190 M. 47 29-0
     Providing that Local Law (Intro. No. 175 of 2021) entitled, “Operation of Off-Road Vehicles on Public Highways in Monroe County,” be Amended

12. Flagler-Mitchell & Felder
     Intro. 191 M. 48 29-0
     Providing that Referral No. 20-0340 entitled, Enact a Local Law Entitled ‘Gantt’s Law for Utilization of Minority and Women-Owned Businesses,’” be Discharged from the Agenda/Charter Committee

13. Flagler-Mitchell & Felder
     Intro. 192
     Enact a Local Law Entitled ‘Gantt’s Law for Utilization of Minority and Women-Owned Businesses’”
     For Introductory Purposes

14. Flagler-Mitchell & Felder
     Intro. 193 M. 49 29-0
     Providing that Local Law (Intro. No. 192 of 2021) entitled, Enact a Local Law Entitled ‘Gantt’s Law for Utilization of Minority and Women-Owned Businesses,’” be Amended

15. Flagler-Mitchell & Felder
     Intro. 194 M. 50 29-0
     Providing that Local Law (Intro. No. 192 of 2021) entitled, Enact a Local Law Entitled ‘Gantt’s Law for Utilization of Minority and Women-Owned Businesses,’” be Tabled

16. Flagler-Mitchell & Felder
     Intro. 195 M. 50 29-0
     Fixing a Public Hearing on Local Law (Intro. No. 192 of 2021) entitled, Enact a Local Law Entitled ‘Gantt’s Law for Utilization of Minority and Women-Owned Businesses,’”
     Public Hearing Scheduled for Tuesday, June 8, 2021 at 6:17 P.M.
MOTIONS, RESOLUTIONS AND NOTICES

Intro. 196
M. 51
Morelle/Barnhart (Motion to Suspend Rules)

PROVIDING THAT THE RULES OF THE MONROE COUNTY LEGISLATURE BE SUSPENDED
Be It Moved, that the Rules of the Monroe County Legislature be, and hereby are, suspended.
9-20F
(Legislators Barnhart, Bauroth, Baynes, Hasman, Maffucci, Morelle, Jr., Roman, Wilcox and Yudelson Voted in the Positive.)

17. Dondorfer & Delehanty
Intro. 197
Res. 141
29-0
Accepting Grant from Federal Aviation Administration (Coronavirus Response and Relief Supplemental Appropriations Act Grant Program) Related to Operation and Maintenance of the Frederick Douglass- Greater Rochester International Airport Committee of the Whole; April 27, 2021- CV: 28-0

18. Yudelson & Ancello,
Delehanty
Intro. 198
Res. 142
29-0
Authorizing Contract with Energy Improvement Corporation to Administer Energize NY Open C-PACE Program

19. Dondorfer & Delehanty
Intro. 199
Res. 143
29-0
Authorizing Contracts with Testa Construction, Inc., and Bliter Electric, Inc. for Monroe Community College Finger Lakes Workforce Development Center Committee of the Whole; April 27, 2021- CV: 28-0

20. Dondorfer & Delehanty
Intro. 200
14-15F
Amending 2021-2026 Capital Improvement Program to Add Project Entitled “Space Utilization and Renovation of CityPlace” Committee of the Whole; April 27, 2021- CV: 26-2
(Legislators Barnhart, Bauroth, Baynes, Felder, Flagler-Mitchell, Hasman, Kephetlay, LaMar, Lee, Maffucci, Morelle, Jr., Roman, Wilcox and Yudelson Voted in the Positive.)

21. Dondorfer & Delehanty
Intro. 201
12-17F
Resolution Authorizing the Issuance of $9,000,000 Bonds of the County of Monroe, New York, to Finance the Cost of Space Utilization and Renovation of CityPlace in and for Said County, at an Estimated Maximum Cost of $9,000,000 (Legislators Barnhart, Bauroth, Baynes, Felder, Hasman, Kephetlay, LaMar, Maffucci, Morelle, Jr., Roman, Wilcox and Yudelson Voted in the Positive.)

22. Dondorfer & Delehanty
Intro. 202
Res. 144
29-0
Accepting Grants from New York State Department of Environmental Conservation for Zero Emission Infrastructure Project Committee of the Whole; April 27, 2021- CV: 28-0

23. Boyce & Delehanty
Intro. 203
Res. 145
29-0
Amending Resolution 122 of 2017 as Amended by Resolution 113 of 2018 to Extending and Increasing Contract with WorkFit Medical, LLC for Sheriff’s Employees’ Medical Services Committee of the Whole; April 27, 2021- CV: 28-0
24. Boyce & Delehanty
Intro. 204
Res. 146
29-0
21-0136 Authorization Contract with Roberts Wesleyan College for Rochester Threat Advisory Committee Program Management
Committee of the Whole; April 27, 2021- CV: 28-0

25. Boyce & Delehanty
Intro. 205
Res. 147
29-0
21-0137 Accepting Grant from the United States Department of Justice, United States Marshals Service Western District of New York for United States Marshals Services NY/NY Regional Fugitive Task Force- Rochester Division
Committee of the Whole; April 27, 2021- CV: 28-0

26. Boyce & Delehanty
Intro. 206
Res. 148
29-0
21-0138 Accepting Grant from New York State Office of Indigent Legal Services for Offices of Public Defender and Conflict Defender for the Provision of Indigent Legal Services
Committee of the Whole; April 27, 2021- CV: 28-0

27. Boyce & Delehanty
Intro. 207
Res. 149
29-0
21-0139 Authorizing Creation of Three (3) New Positions in the Public Defender’s Office and Authorizing Creation of Nine (9) New Positions in the Conflict Defender’s Office as Part of Year 3 Funding of the Statewide Expansion of the Hurrell-Harring Project Grant
Committee of the Whole; April 27, 2021- CV: 28-0

28. Boyce & Ancello Delehanty
Intro. 208
Res. 150
29-0
21-0140 Authorizing Intermunicipal Agreement with City of Rochester to Accept Pass Through Funding from United States Department of Justice for 2020 Edward Byrne Memorial Justice Assistance Grant Program
Committee of the Whole; April 27, 2021- CV: 28-0

29. Boyce & Delehanty
Intro. 209
Res. 151
29-0
21-0141 Accepting Grant from United States Department of Justice, Office of Justice Programs, for FY2020 DNA Capacity Enhancement and Backlog Reduction Program
Committee of the Whole; April 27, 2021- CV: 28-0

30. Boyce & Dondorfer
Intro. 210
Res. 152
29-0
21-0142 Accepting Grant from New York State Division of Homeland Security and Emergency Services for FY2020 State Law Enforcement Terrorism Prevention Program
Committee of the Whole; April 27, 2021- CV: 28-0

31. Boyce & Delehanty
Intro. 211
Res. 153
29-0
21-0143 Authorizing Contract with the University of Rochester for Continuing Development and Sustainment of County’s Medical Countermeasure Program
Committee of the Whole; April 27, 2021- CV: 28-0
32. Boyce & Ancello, Delehanty
Intro. 212 Res. 154 29-0

Res. 154
29-0

Amending Resolution 284 of 2020 to Extend Time Period of Intermunicipal Agreement with City of Rochester for FY2016 Complex Coordinated Terrorist Attack Grant Committee of the Whole; April 27, 2021- CV: 28-0

33. Wilt & Delehanty
Intro. 213 Res. 155 29-0

Res. 155
29-0

Authorizing Contracts with County of Monroe Industrial Development Agency and Environmental Design & Research, Landscape Architecture, Engineering & Environmental Services, DPC for Professional Services for Monroe County Comprehensive Plan Committee of the Whole; April 27, 2021- CV: 28-0

34. Ancello & Smith, Delehanty
Intro. 214 Res. 156 29-0

Res. 156
29-0

Authorizing Intermunicipal Agreement with City of Rochester to Provide Water Quality Monitoring for the Beach at Durand Eastman Park Committee of the Whole; April 27, 2021- CV: 28-0

35. Colby & Delehanty
Intro. 215 Res. 157 29-0

Res. 157
29-0

Authorizing Contract with Greenman-Pedersen, Inc. for Engineering Services Committee of the Whole; April 27, 2021- CV: 28-0

36. Colby & Delehanty
Intro. 216 Res. 158 29-0

Res. 158
29-0

Resolution Authorizing the Issuance of $400,000 Bonds of the County of Monroe, New York, to Finance the Cost of the Expressway Lighting Rehabilitation-Central, in and for Said County, at an Estimated Maximum Cost of $400,000 and Superseding the Bond Resolution Adopted on December 15, 2020 (Resolution No. 377 of 2020) Committee of the Whole; April 27, 2021- CV: 28-0

37. Colby & Boyce, Delehanty
Intro. 217 Res. 159 29-0

Res. 159
29-0

Authorizing Contract with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. for Engineering Services for the Middle Road Project in the Town of Henrietta Committee of the Whole; April 27, 2021- CV: 28-0

38. Dondorfer & Wilt
Intro. 218 Res. 160 29-0

Res. 160
29-0

Classification of Action and Determination of Significance Pursuant to the State Environmental Quality Review Act for the Acquisition of Real Property for the Culver Road Highway Improvement Project at 4225 Culver Road in the Town of Irondequoit Committee of the Whole; April 27, 2021- CV: 28-0

39. Colby & Delehanty
Intro. 219 Res. 161 29-0

Res. 161
29-0

Authorizing Acquisition of Interests in Real Property for Culver Road Highway Improvement Project at 4225 Culver Road in Town of Irondequoit Committee of the Whole; April 27, 2021- CV: 28-0
40. Dondorfer & Wilt
Intro. 220
Res. 162
29-0

Classification of Action and Determination of Significance Pursuant to the State Environmental Quality Review Act for the Acquisition of Real Property for the English Road Highway Improvement Project in the Town of Greece
Committee of the Whole; April 27, 2021- CV: 28-0

41. Colby & Delehanty
Intro. 221
Res. 163
29-0

Authorize the Acquisition of Interests in Real Property for the English Road Highway Improvement Project in the Town of Greece
Committee of the Whole; April 27, 2021- CV: 28-0

42. Smith & Delehanty
Intro. 222
Res. 164
29-0

Authorizing Contract with the University of Rochester Medical Center for Medical Services for Monroe Community Hospital
Committee of the Whole; April 27, 2021- CV: 28-0

(Legislator Hasman declared her interest prior to the vote.)

43. Dondorfer & Delehanty
Intro. 223
Res. 165
29-0

Amending the 2021-2026 Capital Improvement Program to Add a Project Entitled “Energy Improvement Equipment Acquisition”
Committee of the Whole; March 23, 2021- CV: 28-0
Committee of the Whole; April 27, 2021- CV: 28-0

44. Dondorfer & Delehanty
Intro. 224
Res. 166
29-0

Resolution Authorizing the Issuance of $12,900,000 Bonds of the County of Monroe, New York, to Finance the Cost of an Energy Improvement Equipment Acquisition Project in and for said County, at an Estimated Maximum Cost of $12,900,000

45. Smith & Delehanty
Intro. 225
Res. 167
29-0

Amending Resolution 431 of 2020, as Amended by Resolution 24 of 2021, Authorizing Contracts for Provision of Mental Health, Developmental Disability, and Alcoholism and Substance Abuse Services in 2021 for Monroe County Office of Mental Health
Committee of the Whole; April 27, 2021- CV: 28-0

46. Hebert & Allkofer
Wilt
Maffucci
Intro. 226
Res. 168
29-0

Authorizing Contract with Trybe Ecotherapy, LLC for Provision of a Pilot Mental Health Program as a Holistic Option for Veterans Struggling with Mental Illness for Monroe County Department of Veteran Services
Committee of the Whole; April 27, 2021- CV: 28-0

Matters of Urgency

47. Felder & Flagler-Mitchell
Keophetlas
Intro. 227

Authorizing Allocation of Emergency Grant Funding to Support Arts Organizations Negatively Impacted by COVID-19 Pandemic
Matter of Urgency
Be It Moved, that Intro. No. 227 of 2021 be, and hereby is, tabled.

7-21F (Legislators Baynes, LaMar, Maffucci, Morelle, Jr., Roman, Wilcox and Yudelson Voted in the Positive.)

Intro. 229 Carbone/Flagler-Mitchell (Motion to Amend)

PROVIDING THAT RESOLUTION (INTRO NO. 227 OF 2021), ENTITLED “AUTHORIZING ALLOCATION OF EMERGENCY GRANT FUNDING TO SUPPORT ARTS ORGANIZATIONS NEGATIVELY IMPACTED BY COVID-19 PANDEMIC,” BE AMENDED

BE IT MOVED, that Resolution (Intro. No. 227 of 2021), entitled “AUTHORIZING ALLOCATION OF EMERGENCY GRANT FUNDING TO SUPPORT ARTS ORGANIZATIONS NEGATIVELY IMPACTED BY COVID-19 PANDEMIC,” be amended as follows:

Section 1. The President of the Legislature, or his designee, is hereby authorized to execute grant agreements, contracts, or applications, and any amendments thereto, with the organizations listed below, in the total amount of $131,000 $136,000, for emergency grant funding related to the COVID-19 pandemic, for the period of January 1, 2021 through December 31, 2021.

<table>
<thead>
<tr>
<th>Organization</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Avenue Blackbox Theatre</td>
<td>$20,000</td>
</tr>
<tr>
<td>Rochester Contemporary Art Center</td>
<td>$10,000</td>
</tr>
<tr>
<td>Rochester Community Television</td>
<td>$20,000</td>
</tr>
<tr>
<td>Borinquen Dance Theatre</td>
<td>$20,000</td>
</tr>
<tr>
<td>Legacy Drama House</td>
<td>$10,000</td>
</tr>
<tr>
<td>Rochester Latino Theatre</td>
<td>$10,000</td>
</tr>
<tr>
<td>Irondequoit Arts Club</td>
<td>$5,000</td>
</tr>
<tr>
<td>Blackfriars of Rochester Inc.</td>
<td>$3,500</td>
</tr>
<tr>
<td>Boa Editions Limited</td>
<td>$3,500</td>
</tr>
<tr>
<td>Deep Arts</td>
<td>$2,500</td>
</tr>
<tr>
<td>Flower City Arts Center</td>
<td>$3,500</td>
</tr>
<tr>
<td>Garth Fagan Dance</td>
<td>$4,000</td>
</tr>
<tr>
<td>Landmark Society of WNY Inc.</td>
<td>$4,500</td>
</tr>
<tr>
<td>Push Physical Theatre</td>
<td>$3,000</td>
</tr>
<tr>
<td>Rochester City Ballet</td>
<td>$5,500</td>
</tr>
<tr>
<td>Rochester Oratorio Society</td>
<td>$3,000</td>
</tr>
<tr>
<td>Visual Studies Workshop Inc.</td>
<td>$3,500</td>
</tr>
<tr>
<td>Writers And Books</td>
<td>$4,500</td>
</tr>
<tr>
<td><strong>Total:</strong></td>
<td><strong>$131,000</strong> $136,000</td>
</tr>
</tbody>
</table>

Section 2. Funding for these agreements, contracts, or applications is included in the 2021 operating budget of the Monroe County Legislature, general fund 9001, funds center 1001020000, Community Contingency Fund.

Section 3. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.
Added language is underlined.
Deleted language is struck through.

27-2
Intro. 230
M. 54
Providing that the question be called on Intro. No. 227 of 2021
Be it moved that the question be, and hereby is called on Intro. No. 227 of 2021.
(Legislator Morelle, Jr. Voted in the Negative.)

Intro. 227
Main Motion as Amended
(Legislators Baynes, Maffucci and Yudelson Voted in the Negative.)

48. Hebert & Delehanty
Intro. 231
Res. 170
Amending Resolution 134 of 2020 Entitled "Accepting Grant from United States Treasury for Coronavirus Aid, Relief and Economic Security Act," for Provision of Additional Legislative Fiscal Oversight
Matter of Urgency

49. Hebert & Terp
Intro. 232
Res. 171
Authorize an Intermunicipal Agreement with the Town of Webster for an Exchange of Real Property to Fulfill and Assist with the Completion of the Town of Webster’s Lake Ontario Resiliency and Economic Development Initiative (REDI) Mo. 56 Lake Road Improvement Project
Matter of Urgency

50. Hebert & Brew
Intro. 233
Baynes/Roman (Motion to Table)
Providing that Intro. No. 233 of 2021 Be tabled
Be it moved that the question be, and hereby is, tabled.
(Legislators Barnhart, Bauroth, Baynes, Felder, Hasman, Keophetlasy, LaMar, Maffucci, Morelle, Jr., Roman, Wilcox and Yudelson Voted in the Positive.)

Intro. 235
M. 56
Providing that the question be called on Intro. No. 244 of 2021
Be it moved that the question be, and hereby is called on Intro. No. 233 of 2021.

Intro. 233
Main Motion
(Legislators Barnhart, Bauroth, Baynes, Felder, Hasman, Keophetlasy, Maffucci, Morelle, Jr., Roman, Wilcox and Yudelson Voted in the Negative.)
UNFINISHED BUSINESS

Upon Motion by Legislator Brew, the Legislature Adjourned at 9:08 P.M. until **Tuesday, June 8, 2021 at 6:00 P.M.**

Jack Moffitt
Clerk of the Legislature