THIRTEENTH DAY

TUESDAY, June 8, 2021

Legislature met pursuant to adjournment.

President Dr. Joe Carbone in the Chair.

ROLL CALL


Absent – Legislators Bauroth, Wilcox – 2

SUSPENSION OF THE RULES

Intro. 246 Brew & DiFlorio
M. 65 Motion to Suspend the Rules of the Monroe County Legislature as follows:
27-0 PROVIDING THAT RULES OF THE MONROE COUNTY LEGISLATURE BE SUSPENDED AND MODIFIED FOR THE REGULAR MEETING ON JUNE 8, 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 Melvin Cross of Glory House International, at the invitation of the Black and Asian Caucus. The Pledge of Allegiance to the Flag was led by Minority Leader Vince Felder.

IN MEMORIAM

51. Brew & Felder 21-0216 Expressing Regret of the Monroe County Legislature on the Recent Passing of
Intro. 247 Robert Edwin Cappon, Former Monroe County Legislator
Res. 175 Matter of Urgency
27-0

52. Brew & Felder 21-0217 Expressing Regret of the Monroe County Legislature on the Recent Passing of
Intro. 248 the Honorable Joseph T. Genier, Former Irondequoit Town Justice
Res. 176 Matter of Urgency
27-0
APPROVAL OF MINUTES

Without objection, the Journals of Day 10 of 2021, May 11, 2021, Day 11 of 2021, Special Meeting, May 25, 2021 and Day 12 of 2021, Special Meeting June 3, 2021 were approved as submitted.

(Note: President Carbone stated the meeting had been closed to the public accordance with Executive Order 202.1 and 202.109. 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 Ernest Flagler-Mitchell, Legislator Sabrina LaMar, Legislator Vincent R. Felder, Legislator Calvin Lee, Jr., and Legislator Frank Keophetlasy, Milton Harris, for his exemplary life of selflessness, family, and community.

Read and Filed.

RECESS

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

“Enacting a Local Law Entitled ‘Three-Foot Safe Passing Law’”

Two speakers addressed the Legislature and the Public Hearing concluded at 6:23 P.M.

“Enacting a Local Law Entitled “Establishing a Sustainable Energy Loan Program (Open C-PACE) in Monroe County””

Three speakers addressed the Legislature and the Public Hearing concluded at 6:26 P.M.

“Enacting a Local Law Entitled “Gantt’s Law for Utilization of Minority and Women-Owned Businesses””

No speakers addressed the Legislature and the Public Hearing concluded at 6:27 P.M.

RECONVENING LEGISLATURE

President Carbone reconvened the recessed meeting of June 8, 2021 and proceeded under the Usual Order of Business.

FORMAL COMMITTEE REPORTS

None
### PUBLIC FORUM

An Open Forum was conducted. The comments of ten pre-registered participants were read and the Open Forum concluded at 6:40 P.M.

### 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 June 8, 2021 and proceeded under the Usual Order of Business.

### CONSIDERATION OF LOCAL LAWS

1. Flagler-Mitchell & Felder
   Intro. 249
   Res. 66
   27-0
   20-0340.LL Providing that Local Law (Intro. No. 192 of 2021), Entitled “Gantt’s Law for Utilization of Minority and Women-Owned Businesses,” Be Lifted from the Table

2. Flagler-Mitchell & Felder, LaMar, Terp
   Intro. 250
   M. 67
   27-0
   20-0340.LL Providing that Local Law (Intro. No. 192 of 2021), Entitled “Gantt’s Law for Utilization of Minority and Women-Owned Businesses,” Be Adopted as Amended

   Intro. 192
   Local Law TBD
   27-0

3. Smith & Barnhart
   Intro. 251
   M. 68
   27-0
   21-0125.LL Providing that Local Law (Intro. No. 182 of 2021), Entitled “Three-Foot Safe Passing Law,” be Lifted from the Table

4. Smith & Barnhart
   Intro. 252
   M. 69
   21-0125.LL Providing that Local Law (Intro. No. 182 of 2021), Entitled “Three-Foot Safe Passing Law,” be Adopted

### RECESS

A recess was declared by President Carbone.
RECONVENING LEGISLATURE

President Carbone reconvened the recessed meeting of June 8, 2021 and proceeded under the Usual Order of Business.

CONSIDERATION OF LOCAL LAWS

Intro. 253 Flagler-Mitchell & Lee (Motion to Amend)
M. 70 PROVIDING THAT LOCAL LAW (INTRO NO. 182 OF 2021), ENTITLED "THREE-FOOT SAFE PASSING LAW," BE AMENDED

BE IT MOVED, that Section 3 of Local Law (Intro. No. 182 of 2021), entitled "THREE-FOOT SAFE PASSING LAW," be amended as follows:

Minimum distance requirements for motor vehicles passing bicycles. The operator of a vehicle that is overtaking, from behind, a bicycle proceeding on the same side of the road shall pass to the left of such bicycle at a reasonable distance of at least three (3) feet until safely clear thereof.

Added language is underlined.
Deleted language is struck.

5-22F

Intro. 252 Motion to Adopt
M. 69 26-1 (Legislator Flagler-Mitchell Voted in the Negative.)

Intro. 182 Local Law
Local Law TBD 26-1 (Legislator Flagler-Mitchell Voted in the Negative.)

5. Yudelson & Delehanty, Ancello, Boyce Intro. 254 M. 71 27-0 Providing that Local Law (Intro. No. 186 of 2021) Establishing a Sustainable Energy Loan Program (Open C-PACE) in Monroe County, be Lifted from the Table

6. Yudelson & Delehanty Ancello, Boyce, Dondorfer, Maffucci Intro. 255 M. 72 27-0 Providing that Local Law (Intro. No. 186 of 2021) Establishing a Sustainable Energy Loan Program (Open C-PACE) in Monroe County, be Adopted
7. Brew & Allkofer
   Hebert
   Intro. 256
   Local Law TBD

   21-0170.LL
   Enact a Local Law Entitled, “Junior Deer Hunter Pilot Program”
   For Introductory Purposes Only

8. Brew & Allkofer
   Hebert
   Intro. 257
   M. 73
   21-0170.LL
   Providing that Local Law (Intro. No. 256 of 2021) entitled, “Junior Deer Hunter Pilot Program”, be Tabled

9. Brew & Ancello
   Delehanty
   Intro. 258
   Res. 177
   21-0170.LL
   Public Hearing Scheduled for Tuesday, July 13, 2021 at 6:15 P.M.

MOTIONS, RESOLUTIONS AND NOTICES

Intro. 259
   Roman, Barnhart, Baynes & Morelle, Jr.
   Motion to Suspend the Rules of the Monroe County Legislature as follows:

   PROVIDING THAT RULES OF THE MONROE COUNTY LEGISLATURE BE SUSPENDED FOR THE SPECIAL MEETING ON JUNE 8, 2021

   7-20F
   (Legislators Barnhart, Baynes, Hasman, Maffucci, Morelle, Jr., Roman and Yudelson Voted in the Positive.)

Intro. 260
   Barnhart, Baynes, Hasman, Maffucci, Morelle, Jr., Roman and Yudelson
   Motion to Suspend the Rules of the Monroe County Legislature as follows:

   PROVIDING THAT RULES OF THE MONROE COUNTY LEGISLATURE BE SUSPENDED FOR THE SPECIAL MEETING ON JUNE 8, 2021

   7-20F
   (Legislators Barnhart, Baynes, Hasman, Maffucci, Morelle, Jr., Roman and Yudelson Voted in the Positive.)

10. Allkofer & Boyce,
     Flagler-Mitchell
     Intro. 261
     Res. 178
     21-0169
     Reappointments to Monroe Community College Board of Trustees
11. Felder & Flagler-Mitchell, Keophetlasy, LaMar, Lee
   Intro. 262
   Res. 179
   27-0
   21-0172 Amending Dignified Indigent Burial Act of 2021 to Increase the Maximum Qualifying
   Funeral Costs Threshold for Supplemental Funeral Assistance Program
   Committee of the Whole; May 25, 2021 - CV: 29-0

12. Dondorfer & Delehanty
   Intro. 263
   Res. 180
   27-0
   21-0175 Authorizing Contract with CHA Consulting, Inc. for Environmenta
   Assessment Pursuant to National Environmental Policy Act for Obstruction Removal for
   Runway 4 at Frederick Douglass- Greater Rochester International Airport
   Committee of the Whole; May 25, 2021 - CV: 29-0

13. Dondorfer & Delehanty
   Intro. 264
   Res. 181
   27-0
   21-0176 Accepting Municipal Waste Reduction and Recycling Grant-In-Aid from New York
   State Department of Environmental Conservation for Municipal Waste Reduction
   and/or Recycling Project
   Committee of the Whole; May 25, 2021 - CV: 29-0

14. Dondorfer & Delehanty
   Intro. 265
   Res. 182
   27-0
   21-0177 Classification of Action and Determination of Significance Pursuant to State
   Environmental Quality Review Act for Specialized Secure Detention Facility Project,
   Phase Two
   Committee of the Whole; May 25, 2021 - CV: 29-0

15. Dondorfer & Delehanty
   Intro. 266
   Res. 183
   27-0
   21-0178 Authorizing Contracts with Dormitory Authority of the State of New York
   Committee of the Whole; May 25, 2021 - CV: 29-0

16. Dondorfer & Delehanty
   Intro. 267
   Res. 184
   27-0
   21-0178.br Resolution Authorizing the Issuance of $36,600,000 Bonds of the County of
   Monroe, New York, to Finance the Cost of the Specialized Secure Detention Facility
   Project, in and for Said County, at an Estimated Maximum Cost of $36,600,000 and
   Superseding the Bond Resolution Adopted on July 10, 2018 (Resolution No. 189 of
   2018)

17. Dondorfer & Delehanty
   Intro. 268
   Res. 185
   27-0
   21-0179 Amending 2021-2026 Capital Improvement Program to Add Project Entitled "Iola
   Combined Heat and Power Plant Improvements"
   Committee of the Whole; May 25, 2021 - CV: 29-0

18. Dondorfer & Delehanty
   Intro. 269
   Res. 186
   21-0179.br Resolution Authorizing the Issuance of $5,500,000 Bonds of the County of Monroe,
   New York, to Finance the Cost of Iola Combined Heat and Power Plant
   Improvements in and for Said County, at an Estimated Maximum Cost of $5,500,000
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<thead>
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<th>Sponsor</th>
<th>Resolution/Intro. No.</th>
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<td>19.</td>
<td>Dondorfer &amp; Wilt</td>
<td>21-0180 Intro. 270 Res. 187 27-0</td>
<td>Classification of Action and Determination of Significance Pursuant to State Environmental Quality Review Act for Increase and Improvement of Facilities in Rochester Pure Waters District - Frank E. Van Lare Wastewater Treatment Plant Electrical System Improvements Committee of the Whole; May 25, 2021- CV: 29-0</td>
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<tr>
<td>20.</td>
<td>Delehanty 21-0181 Intro. 271</td>
<td>Approving Increase and Improvement of Facilities in the Rochester Pure Waters District - Frank E. Van Lare Wastewater Treatment Plant Electrical System Improvements, and Amend the 2021 Capital Budget and Bond Resolution 280 of 2019 to Provide an Increase in Funding Committee of the Whole; May 25, 2021- CV: 29-0</td>
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<tr>
<td>21.</td>
<td>Dondorfer &amp; Delehanty 21-0181 Intro. 272 M. 76 27-0</td>
<td>Providing that Resolution (Intro. No. 271 of 2021), Entitled &quot;Approving Increase and Improvement of Facilities in the Rochester Pure Waters District - Frank E. Van Lare Wastewater Treatment Plant Electrical System Improvements, and Amend the 2021 Capital Budget and Bond Resolution 280 of 2019 to Provide an Increase in Funding,&quot; be Tabled</td>
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<tr>
<td>22.</td>
<td>Dondorfer &amp; Delehanty 21-0181 Intro. 273 Res. 188 27-0</td>
<td>Calling a Public Hearing for the Purpose of Considering a Proposed Increase and Improvement of Facilities in the Rochester Pure Waters District - Frank E. Van Lare Wastewater Treatment Plant Electrical System Improvements, and Amend the 2021 Budget and Bond Resolution 280 of 2019 to Provide an Increase in Funding (Public Hearing Scheduled for Tuesday, July 13, 2021 at 6:16 P.M.)</td>
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<td>23.</td>
<td>Boyce &amp; Delehanty 21-0183 Intro. 274 Res. 189 27-0</td>
<td>Authorizing Contract with Health Care Support Advisors, Inc. for Reimbursement to Monroe County Sheriff's Office to Conduct Criminal Background Checks on HCSA Members' Potential Employees Committee of the Whole; May 25, 2021- CV: 29-0</td>
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<td>24.</td>
<td>Dondorfer &amp; Boyce, Wilt, Allkofer, Ancello, Colby, Smith, Delehanty Intro. 275</td>
<td>Adopting 2022-2027 Capital Improvement Program <em>For Introductory Purposes Only</em> Committee of the Whole; May 25, 2021- CV: 29-0</td>
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</table>
25. Dondorfer & Boyce, Wilt, Allkofer, Ancello, Colby, Smith, Delehanty
   Intro. 276 M. 77 27-0
   21-0184 Providing that Resolution (Intro. No. 275 of 2021), entitled “Adopting 2022-2027 Capital Improvement Program”, be Tabled

26. Dondorfer & Boyce, Wilt, Allkofer, Ancello, Colby, Smith, Delehanty
   Intro. 277 Res. 190 27-0
   21-0184 Fixing Public Hearing for Adoption 2022-2027 Capital Improvement Program
   Public Hearing Scheduled for Tuesday, July 13, 2021 at 6:17 P.M.

27. Dondorfer & Wilt Intro. 278 Res. 191 27-0
   21-0185 Classification of Action and Determination of Significance Pursuant to State Environmental Quality Review Act for Glendale Road Sidewalk Project funded through Monroe County Community Development Block Grant Program
   Committee of the Whole; May 25, 2021- CV: 29-0

28. Dondorfer & Wilt Intro. 279 Res. 192 27-0
   21-0186 Classification of Action and Determination of Significance Pursuant to State Environmental Quality Review Act for First Time Home Buyers Program funded through Monroe County Home Investment Partnerships Program
   Committee of the Whole; May 25, 2021- CV: 29-0

29. Dondorfer & Wilt Intro. 280 Res. 193 27-0
   21-0187 Classification of Action and Determination of Significance Pursuant to State Environmental Quality Review Act for Acquisition Rehab Resale Program funded through Monroe County Home Investment Partnerships Program
   Committee of the Whole; May 25, 2021- CV: 29-0

30. Wilt & Delehanty Intro. 281 Res. 194 27-0
    21-0188 Approving 2021 Annual Action Plan for Housing and Community Development in Suburban Monroe County and Grant Submission to U.S. Department of Housing and Urban Development
    Committee of the Whole; May 25, 2021- CV: 29-0

31. Ancello & Smith Intro. 282 Res. 195 27-0
    21-0189 Authorizing Intermunicipal Agreements for Vacant and Zombie Property Management
    Committee of the Whole; May 25, 2021- CV: 29-0
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<th>#</th>
<th>Authorizing/Amending/Contracting/Granting/Bidding Details</th>
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<td>Authorizing Intermunicipal Agreements for Shared Recreation Programs and Park Services Committee of the Whole; May 25, 2021- CV: 29-0</td>
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<td>33</td>
<td>Authorizing Contract with C.P. Ward Inc. for Construction Services for Ayrault Road Culvert Project over Irondequoit Creek Tributary in Town of Perinton Committee of the Whole; May 25, 2021- CV: 29-0</td>
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<td>34</td>
<td>Authorizing Intermunicipal Agreement with Town of Gates Related to Ownership and Maintenance of Elmford Road-Elmgrove Road-Shadow Lane Culvert System Committee of the Whole; May 25, 2021- CV: 29-0</td>
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<td>35</td>
<td>Amending Resolution 178 of 2018 to Extend Term of Contract with EF&amp;P Group, LLC, DBA Stonebridge Business Partners, for Self-Insured Healthcare Claims Auditing Services Committee of the Whole; May 25, 2021- CV: 29-0</td>
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<td>36</td>
<td>Accepting Grant from Health Research, Inc. for Expand Partner Services Initiative Committee of the Whole; May 25, 2021- CV: 29-0</td>
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<td>37</td>
<td>Authorizing Contract with Dentserv Dental Services, P.C. to Provide Dental Services for Residents of Monroe Community Hospital Committee of the Whole; May 25, 2021- CV: 29-0</td>
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<td>38</td>
<td>Authorizing Contract with SightRite Inc., Working Under the Umbrella of DocRite, to Provide Optometry Services for Residents of Monroe Community Hospital Committee of the Whole; May 25, 2021- CV: 29-0</td>
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<td>39</td>
<td>Authorizing Contract with Robert Peel, Douglas Ring, and Lewis Giglia, DBA Community Hospital Podiatry, to Provide Podiatry Services for Residents of Monroe Community Hospital Committee of the Whole; May 25, 2021- CV: 29-0</td>
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<tr>
<td>40</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 Monroe Orleans County Line Road in Town of Hamlin Committee of the Whole; May 25, 2021- CV: 29-0</td>
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<td><strong>41.</strong> Delehanty &amp; Hebert</td>
<td><strong>21-0199</strong></td>
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<td>Intro. 292</td>
<td>Res. 205</td>
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<td><strong>42.</strong> Dondorfer &amp; Wilt</td>
<td><strong>21-0200</strong></td>
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<td>Intro. 293</td>
<td>Res. 206</td>
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<td><strong>43.</strong> Smith &amp; Delehanty</td>
<td><strong>21-0201</strong></td>
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<td>Intro. 294</td>
<td>Res. 207</td>
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<td><strong>44.</strong> Smith &amp; Delehanty</td>
<td><strong>21-0202</strong></td>
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<td>Intro. 295</td>
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<td><strong>45.</strong> Delehanty &amp; Hebert</td>
<td><strong>21-0203</strong></td>
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<td>Intro. 296</td>
<td>Res. 209</td>
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<td><strong>46.</strong> Colby &amp; Delehanty</td>
<td><strong>21-0204</strong></td>
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<td>Intro. 297</td>
<td>Res. 210</td>
</tr>
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</table>
| **47.** Smith & Delehanty | **21-0205** | Amending Contracts with Rochester General Hospital and Strong Memorial Hospital of the University of Rochester to Support Monroe County Department of Public Health in Administering COVID-19 Vaccinations Committee of the Whole; May 25, 2021- CV: 29-0  

*(Legislators Carbone, Hasman and LaMar declared their interest prior to the vote.)* |
| Intro. 298 | Res. 211 | 27-0 |
| **48.** Colby & Delehanty | **21-0207** | Accepting Additional Funding from New York State Department of Transportation for State Supported Consolidated Local Street and Highway Improvement Program Committee of the Whole; May 25, 2021- CV: 29-0 |
| Intro. 299 | Res. 212 | 27-0 |
| **49.** Delehanty & Hebert | **21-0208** | Accepting Grant from United States Treasury for Coronavirus Local Fiscal Recovery Fund Committee of the Whole; May 25, 2021- CV: 29-0 |
| Intro. 300 |   |   |
PROVIDING THAT RESOLUTION (INTRO NO. 300 OF 2021), ENTITLED “ACCEPTING GRANT FROM UNITED STATES TREASURY FOR CORONAVIRUS LOCAL FISCAL RECOVERY FUND,” BE AMENDED

BE IT MOVED, that Resolution (Intro. No. 300 of 2021), entitled “ACCEPTING GRANT FROM UNITED STATES TREASURY FOR CORONAVIRUS LOCAL FISCAL RECOVERY FUND,” be amended as follows:

Section 1. The County Executive, or his designee, is hereby authorized to accept a $144,080,127 grant from, and to execute a contract and any amendments thereto with, the United States Treasury for payment of expenses needed to respond to the Coronavirus public health emergency and its negative economic impacts for the period March 3, 2021 through December 31, 2026.

Section 2. The 2021 operating budget of the Department of Finance is hereby amended by appropriating the sum of $144,080,127 into general fund 9001, funds center 1200070101 1001030000, Local Recovery Fund.

Section 3. No amount of money shall be expensed, charged, appropriated, reserved, encumbered, committed, posted, transferred or otherwise utilized within general fund 9001, funds center 1001030000 except by resolution of the County Legislature and approval by the County Executive as set forth in Section C2-7 of the Monroe County Charter.

Section 4. The County Executive, with approval by resolution of the County Legislature, is hereby authorized to appropriate any subsequent years of the grant award in accordance with the grant terms, to reappropriate any unencumbered balances during the grant period according to the grantor requirements, and to make any necessary funding modifications within grant guidelines to meet contractual commitments.

Section 5. Should funding of this program be modified or terminated for any reason, the County Executive, with approval by resolution of the County Legislature, is hereby authorized to terminate or modify the program and, where applicable, to terminate or abolish some or all positions funded under such program. Any termination or abolishment of positions shall be in accordance with New York State Civil Service Law and, when applicable, the terms of any labor agreement affecting such positions.

Section 6. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.
Matters of Urgency

50. Delehanty & Hebert
    Keophetlasy
    Intro. 302
    Res. 214
    27-0

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RECESS

A recess was declared by President Carbone.

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RECONVENING LEGISLATURE

President Carbone reconvened the recessed meeting of June 8, 2021 and proceeded under the Usual Order of Business.

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UNFINISHED BUSINESS

Upon Motion by Legislator Brew, the Legislature Adjourned at 8:38 P.M. until Tuesday, July 13, 2021 at 6:00 P.M.

Jack Moffitt
Clerk of the Legislature