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
M. 65
27-0

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 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
Intro. 247
Res. 175
27-0

21-0216

Expressing Regret of the Monroe County Legislature on the Recent Passing of Robert Edwin Cappon, Former Monroe County Legislator

Matter of Urgency

52. Brew & Felder
Intro. 248
Res. 176
27-0

21-0217

Expressing Regret of the Monroe County Legislature on the Recent Passing of the Honorable Joseph T. Genier, Former Irondequoit Town Justice

Matter of Urgency
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
   intro. 192
   Local Law TBD
   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
   Local Law
   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

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.
Monroe County Legislature  
June 8, 2021  
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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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CONSIDERATION OF LOCAL LAWS

Intro. 253  
Flagler-Mitchell & Lee (Motion to Amend)  
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 stricken.

5-22F  
(Legislator Felder, Flagler-Mitchell, Keophetlasy, LaMar and Lee Voted in the Positive.)

Intro. 252  
Motion to Adopt  
(Legislators Flagler Mitchell Voted in the Negative.)

Intro. 182  
Local Law TBD 26-1  
(Legislators 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
   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
   Public Hearing Scheduled for Tuesday, July 13, 2021 at 6:15 P.M.

**MOTIONS, RESOLUTIONS AND NOTICES**

Intro. 259 M. 74
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 M. 75
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

11. 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

12. Authorizing Contract with CHA Consulting, Inc. for Environmental 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

13. 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

14. 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

15. 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

16. 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

17. 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

18. 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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<tr>
<td>19. Dondorfer &amp; Wilt</td>
<td>21-0180</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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<td>20. Dondorfer &amp; Delehanty</td>
<td>21-0181</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 For Introductory Purposes Only</td>
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<td>21. Dondorfer &amp; Delehanty</td>
<td>21-0181</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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<td>22. Dondorfer &amp; Delehanty</td>
<td>21-0181</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. Boyce &amp; Delehanty</td>
<td>21-0183</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 For Introductory Purposes Only</td>
</tr>
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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
32. Ancello & Smith
Intro. 283
Res. 196
27-0

Authorizing Intermunicipal Agreements for Shared Recreation Programs and Park Services
Committee of the Whole; May 25, 2021- CV: 29-0

33. Colby & Delehanty
Intro. 284
Res. 197
27-0

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

34. Colby & Ancello, Delehanty
Intro. 285
Res. 198
27-0

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

35. Delehanty & Hebert
Intro. 286
Res. 199
27-0

Amending Resolution 178 of 2018 to Extend Term of Contract with EF&P Group, LLC, DBA Stonebridge Business Partners, for Self-Insured Healthcare Claims Auditing Services
Committee of the Whole; May 25, 2021- CV: 29-0

36. Smith & Delehanty
Intro. 287
Res. 200
27-0

Accepting Grant from Health Research, Inc. for Expand Partner Services Initiative
Committee of the Whole; May 25, 2021- CV: 29-0

37. Smith & Delehanty
Intro. 288
Res. 201
27-0

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

38. Smith & Delehanty
Intro. 289
Res. 202
27-0

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

39. Smith & Delehanty
Intro. 290
Res. 203
27-0

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

40. Dondorfer & Wilt
Intro. 291
Res. 204
27-0

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
41. Delehanty & Hebert
Intro. 292
Res. 205
27-0

21-0199 Authorizing 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

42. Dondorfer & Wilt
Intro. 293
Res. 206
27-0

21-0200 Authorizing Sale of County-Owned Tax Foreclosure Property Located on Monroe Environmental Quality Review Act for Sale of County-Owned Tax Foreclosure Property Located on Peck Road in Town of Greece
Committee of the Whole; May 25, 2021- CV: 29-0

43. Smith & Delehanty
Intro. 294
Res. 207
27-0

21-0201 Authorizing Sale of County-Owned Tax Foreclosure Property Located on Peck Road in Town of Greece
Committee of the Whole; May 25, 2021- CV: 29-0

44. Smith & Delehanty
Intro. 295
Res. 208
27-0

21-0202 Directing the Refund of Certain Monroe County Tax Levied and Collected Against Property in City of Rochester and Town of Ogden
Committee of the Whole; May 25, 2021- CV: 29-0

45. Delehanty & Hebert
Intro. 296
Res. 209
27-0

21-0203 Directing Correction, Cancellation and Levy of Certain Monroe County Taxes in the City of Rochester
Committee of the Whole; May 25, 2021- CV: 29-0

46. Colby & Delehanty
Intro. 297
Res. 210
27-0

21-0204 Authorizing Term Services Contract with The EF&P Group, LLC, DBA Stonebridge Business Partners, for Professional Auditing Services Relating to Department of Transportation Consultant Agreements
Committee of the Whole; May 25, 2021- CV: 29-0

47. Smith & Delehanty
Intro. 298
Res. 211
27-0

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.

48. Colby & Delehanty
Intro. 299
Res. 212
27-0

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

49. Delehanty & Hebert
Intro. 300

21-0208 Accepting Grant from United States Treasury for Coronavirus Local Fiscal Recovery Fund
Committee of the Whole; May 25, 2021- CV: 29-0
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 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.

(Added language by this motion is underlined
Deleted language by this motion is struck

Legislators Barnhart, Baynes, Hasman, Maffucci, Morelle, Jr., Roman and Yudelson Voted in the Negative.)
Matters of Urgency

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

   21-0215 Mortgage Tax Distribution
   Matter of Urgency

RECESS

A recess was declared by President Carbone.

RECONVENCING LEGISLATURE

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

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