SEVENTEENTH DAY

TUESDAY, September 14, 2021

Legislature met pursuant to adjournment.

President Dr. Joe Carbone in the Chair.

ROLL CALL

Present – Legislators Allkofer, Ancello, Barnhart, Bauroth, Baynes, Boyce, Brew, Carbone, Colby, Delehanty, DiFlorio, Dondorfer, Felder, Flagler-Mitchell, Hasman, Hebert, Keller, LaMar, Maffucci, Marianetti, Morelle, Jr., Roman, Smith, Taylor, Wilcox, Wright, Yudelson – 27

Absent – Legislators Boyce and Delehanty – 2

MOMENT OF PRAYER

The meeting formally opened. Prayer led by Minister Althea Tyson of Prayer House Church of God, at the invitation of Legislator Sabrina LaMar. The Pledge of Allegiance to the Flag was led by Legislator Sabrina LaMar.

APPROVAL OF MINUTES

Without objection, the Journals of Day 16 of August 10, 2021 were approved as submitted.

PETITIONS AND COMMUNICATIONS

Legislators were notified by President Carbone that referrals for the next committee cycle are available on Novus Agenda.

PROCLAMATIONS

None

RECESS

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

“Enacting a Local Law Entitled “Regulating Sale of Used Catalytic Converters”

One speakers addressed the Legislature and the Public Hearing concluded at 6:22 P.M.

“Enacting a Local Law Entitled “Approving Increase and Improvement of Facilities in Rochester Pure Waters District – Add Project Entitled “Genesee Valley Pump Station;” and Amending the 2021-2026 Capital Improvement Program”

No speakers addressed the Legislature and the Public Hearing concluded at 6:23 P.M.
RECONVENING LEGISLATURE

President Carbone reconvened the recessed meeting of August 10, 2021 and proceeded under the Usual Order of Business.

FORMAL COMMITTEE REPORTS

None

PUBLIC FORUM

An Open Forum was conducted. There were fourteen speakers and the Open Forum concluded at 7:11 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 September 14, 2021 and proceeded under the Usual Order of Business.

CONSIDERATION OF LOCAL LAWS

1. Dondorfer & Hebert
   Intro. 394
   M. 100
   24-3

   Providing that Local Law (Intro No. 354 of 2021) Entitled, “Regulating Sale of Used Catalytic Converters,” be Lifted from the Table

   (Legislators Bauroth, Morelle, Jr. and Wilcox Voted in the Negative.)

2. Dondorfer & Hebert
   Intro. 395
   M. 101
   20-7

   Providing that Local Law Entitled, "Regulating Sale of Used Catalytic Converters,” be Adopted

   Agenda/Charter Committee; July 25, 2021 – CV: 4-0
   Public Safety Committee; July 26, 2021 – CV: 8-0

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

   Intro. 396
   M. 102
   9-18

   Wilcox and Morelle, Jr. (Motion to Table)

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

   Intro. 395
   M. 101
   20-7

   Main Motion

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

3. Barnhart & Dondorfer
   21-0296.L.L

   Providing that Local Law Entitled, "To Establish the Food Delivery Fairness Act,”

   Agenda/Charter Committee; August 23, 2021 – CV: 4-0
4. Barnhart & Dondorfer
Intro. 398
M. 103
27-0

21-0296.II. Providing that Local Law (Intro. No. 103 of 2021) Entitled, “To Establish the Food Delivery Fairness,” Be Tabled

5. Barnhart & Dondorfer
Intro. 399
Res. 284
27-0

21-0296.II. Fixing a Public Hearing on Local Law (Intro No. 103 of 2021) Entitled, “To Establish the Food Delivery Fairness Act”

MOTIONS, RESOLUTIONS AND NOTICES

6. Morelle, Jr. & Hebert
Intro. 400
M. 104
27-0

21-0265 Providing that Resolution (Intro. No. 371 of 2021), Entitled “Approving Increase and Improvement of Facilities in the Rochester Pure Waters District – Add Project Entitled “Genesee Valley Pump Station,” and Amending the 2021-2026 Capital Improvement Capital Improvement Program,” be Lifted from the Table

7. Wright & Hebert
Morelle, Jr.
Intro. 401
M. 105
27-0

21-0265 Providing that Resolution (Intro. No. 371 of 2021), Entitled “Approving Increase and Improvement of Facilities in the Rochester Pure Waters District – Add Project Entitled “Genesee Valley Pump Station,” and Amending the 2021-2026 Capital Improvement Be Adopted

Environment and Public Works Committee; July 26, 2021 – CV: 7-0
Ways and Means Committee; July 27, 2021 – CV: 10-0

Intro. 371
Res. 285
27-0

Main Motion

8. Morelle, Jr. & Hebert
Roman
Intro. 402
Res. 286
27-0

21-0265.br Resolution Authorizing the Issuance of $5,500,000 Bonds of the County of Monroe, New York, To Finance the Cost of the Genesee Valley Pump Station Project In and For Said County, At An Estimated Maximum Cost of $5,500,000 (Resolution No. 286 of 2021)

Environment and Public Works Committee; July 26, 2021 – CV: 7-0
Ways and Means Committee; July 27, 2021 – CV: 10-0

9. Allkofer & Dondorfer
Intro. 403
Res. 287
27-0

21-0290 Confirming Appointments to Monroe County Library System Board of Trustees

(Legislator Baynes declared his interest prior to the vote.)

10. Hebert & Dondorfer
Intro. 404
Res. 288
27-0

21-0291 Confirming Appointments to Monroe County Traffic Safety Board
11. Dondorfer & Brew
   Intro. 405
   Res. 289
   27-0

   21-0292 Creating Special Committee to Examine and Revise the Monroe County Code of Ethics
   Agenda/Charter Committee; August 23, 2021 – CV: 4-0

12. Allkofer
    Ancello
    Hebert
    Intro. 406

   21-0293 Amending 2021 Monroe County Budget to Transfer Funds and Authorizing Intermunicipal Agreement with Town of Mendon for Paving Services at County Services at County Owned Parking Lot in Lehigh Valley Trail Park
   Recreation and Education Committee; August 23, 2021 – CV: 4-1
   Intergovernmental Relations Committee; August 24, 2021 – CV: 3-0
   Ways and Means Committee; August 24, 2021 – CV: 7-4

   Allkofer and Baynes, Hebert, Maffucci (Motion to Table)

13. Dondorfer & Wright
    Intro. 408
    Res. 290
   27-0

   21-0298 Confirming Appointments and Reappointment to Monroe County Recycling Advisory Committee
   Agenda/Charter Committee; August 23, 2021 – CV: 4-0
   Environment and Public Works Committee; August 23, 2021 – CV: 7-0

14. Wright & Hebert
    Intro. 409
    Res. 291
   27-0

   21-0299 Authorizing Contract with Causewave Community Partners, Inc. for Implementation of Stormwater Community Education Program
   Environment and Public Works Committee; August 23, 2021 – CV: 7-0
   Ways and Means Committee; August 24, 2021 – CV: 11-0

15. Wright & Dondorfer
    Keller
    Morelle, Jr.
    Intro. 410
    Res. 292
   27-0

   21-0300 Classification of Action and Determination of Significance Pursuant to State Environmental Quality Review Act for Genesee Valley Pump Station Project
   Environment and Public Works Committee; August 23, 2021 – CV: 7-0

16. Wright & Hebert
    Intro. 411
    Res. 293
   27-0

   21-0301 Authorizing Acceptance of Engineering Planning Grant from New York State Environmental Facilities Corporation for Genesee Valley Pump Station Project
   Environment and Public Works Committee; August 23, 2021 – CV: 7-0
   Ways and Means Committee; August 24, 2021 – CV: 11-0

17. Wright & Hebert
    Morelle, Jr.
    Intro. 412
    Res. 294
   27-0

   21-0303 Authorizing Contracts with MRB Group for Professional Engineering Services and University of Rochester for Genesee Valley Pump Station Project
   Environment and Public Works Committee; August 23, 2021 – CV: 7-0
   Ways and Means Committee; August 24, 2021 – CV: 11-0

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

18. Wright & Hebert
    Intro. 413
    Res. 295
   27-0

   21-0305 Authorizing Acceptance of Engineering Planning Grant from New York State Environmental Facilities Corporation for Frank E. Van Lare Water Resource Recovery
19. Dondorfer & Hebert
Intro. 414
Res. 296
27-0
21-0307 Accepting Grant from New York State Governor’s Traffic Safety Committee for New York State’s Highway Safety Program
Public Safety Committee; August 23, 2021 – CV: 8-0
Ways and Means Committee; August 24, 2021 – CV: 11-0

20. Dondorfer & Hebert
Intro. 415
Res. 297
27-0
21-0308 Accepting Grant from New York State Division of Homeland Security and Emergency Services for 2020-21 Public Safety Answering Points Operations Grant Program
Public Safety Committee; August 23, 2021 – CV: 9-0
Ways and Means Committee; August 24, 2021 – CV: 11-0

21. Dondorfer & Hebert
Intro. 416
Res. 298
27-0
21-0309 Accepting Grant from New York State Governor’s Traffic Safety Committee for Highway Safety Program
Public Safety Committee; August 23, 2021 – CV: 9-0
Ways and Means Committee; August 24, 2021 – CV: 11-0

22. Dondorfer & Hebert
Intro. 417
Res. 299
27-0
21-0310 Accepting Grant from New York State Division of Criminal Justice Services for 2021-2022 Aid to Crime Laboratories Program (Monroe County Crime Laboratory)
Public Safety Committee; August 23, 2021 – CV: 9-0
Ways and Means Committee; August 24, 2021 – CV: 11-0

23. Dondorfer & Hebert
Intro. 418
Res. 300
27-0
21-0311 Accepting Grant from New York State Division of Criminal Justice Services for County Reentry Task Force Program and Authorizing Contract with Delphi Drug and Alcohol Council, Inc.
Public Safety Committee; August 23, 2021 – CV: 9-0
Ways and Means Committee; August 24, 2021

24. Dondorfer & Ancello Hebert
Intro. 419
Res. 301
27-0
21-0312 Accepting Grant from United States Department of Justice, Office on Violence Against Women, for Improving Criminal Justice Responses Grant Program Also Known as the Arrest Program, and Authorizing Intermunicipal Agreement with City of Rochester and Contracts with Legal Aid Society of Rochester, New York, Planned Parenthood of Central and Western New York, Inc., and Willow Domestic Violence Center of Greater Rochester, Inc.
(Legislator Morelle, Jr. declared his interest prior to the vote.)

25. Taylor & Hebert
Intro. 420
Res. 302
27-0
21-0313 Accepting Grant from New York State Office for the Aging for Payment of Expenses to Respond to COVID-19 Public Health Emergency and Its Negative Impacts
Human Services Committee; August 24, 2021 – CV: 7-0
Ways and Means Committee; August 24, 2021 – CV: 11-0

26. Taylor & Hebert
Intro. 421
Res. 303
27-0
21-0314 Accepting Two Grants from New York State Office for the Aging for Aging and Disability Resource Centers/No Wrong Door Systems COVID-19 Vaccine Access Supplemental Funding Program and Expanding Access to COVID-19 Vaccines via Aging Network Program
Human Services Committee; August 24, 2021 – CV: 7-0
Ways and Means Committee; August 24, 2021 – CV: 11-0
27. Taylor & Hebert
    Intro. 422
    Res. 304
    27-0
    Human Services Committee; August 24, 2021 – CV: 7-0
    Ways and Means Committee; August 24, 2021 – CV: 11-0
    (Legislators Carbone and LaMar declared their interest prior to the vote.)

28. Taylor & Hebert
    Lee
    Intro. 423
    Res. 305
    27-0
    Amending Resolution 132 of 2016, as Amended by Resolution 251 of 2016, to Accept Additional Funding from New York State Department of Health and Extending Time Period for Lead Poisoning Prevention Program
    Human Services Committee; August 24, 2021 – CV: 7-0
    Ways and Means Committee; August 24, 2021 – CV: 11-0

29. Taylor & Flagler-Mitchell
    Hebert
    LaMar
    Intro. 424
    Res. 306
    27-0
    Accepting Grant from Health Research, Inc. for Overdose Data to Action Program
    Human Services Committee; August 24, 2021 – CV: 7-0
    Ways and Means Committee; August 24, 2021 – CV: 11-0

30. DiFlorio & Hebert
    Intro. 425
    Res. 307
    27-0
    Directing the Refund of Certain Monroe County Taxes Levied and Collected Against Property in Town of Brighton
    Ways and Means Committee; August 24, 2021 – CV: 11-0

31. Taylor & Hebert
    Intro. 426
    Res. 308
    27-0
    Confirming Reappointment to Monroe County Board of Health
    Human Services Committee; August 24, 2021 – CV: 7-0

32. DiFlorio & Hebert
    Intro. 427
    Res. 309
    27-0
    Authorizing Settlement of Notice of Claim against Monroe County Submitted by Frances Carrathers
    Ways and Means Committee; August 24, 2021 – CV: 11-0

33. Taylor & Hebert
    Intro. 428
    Res. 310
    27-0
    Accepting Grant from Health Research, Inc. for Epidemiology and Laboratory Capacity Reopening Schools Program
    Human Services Committee; August 24, 2021 – CV: 7-0
    Ways and Means Committee; August 24, 2021 – CV: 11-0

34. Taylor & Felder
    Lee
    Baynes
    Flagler-Mitchell
    Intro. 429
    Res. 311
    27-0
    Authorizing Two Settlement Agreements in New York Coordinated Opioid Litigation (Supreme Court, Suffolk County Index No. 400000/2017)
A recess was declared by President Carbone.

RECESS

RECONVENING LEGISLATURE

President Carbone reconvened the recessed meeting of September 14, 2021 and proceeded under the Usual Order of Business.

35. Brew & Felder, Lee, Flagler-Mitchell, Hebert, LaMar
    Intro. 429
    Res. 311
    27-0

36. Intro. 430
    Election No. 3

  Election for Position of Clerk of the Legislature

    Mr. Brew nominated David Grant to serve as Clerk of the Monroe County Legislature. Mrs. DiFlorio seconded the nomination.

    There being no other nominations, President Carbone requested that a single vote be called for the candidate as presented.

    Upon calling the roll, David Grant, was elected to serve as Clerk of the Monroe County Legislature by the following vote:

    Grant – Legislators Brew, Felder, Lee, Allkofer, Ancello, Barnahrt, Bauroth, Baynes, Colby, DiFlorio, Dondorfer, Flagler-Mitchell, Hasman, Hebert, Keller, Keophetlasy, LaMar, Maffucci, Marianetti, Morelle, Jr., Roman, Smith, Taylor, Wilcox, Wright, Yudelson, Carbone – 27

36. Intro. 431
    Election No. 4

  Election for Position of Deputy Clerk of the Legislature

    Mr. Brew nominated Reilly O’Brien to serve as Deputy Clerk of the Monroe County Legislature. Mrs. DiFlorio seconded the nomination.

    Ms. Roman nominated Theresa Bertolone to serve as Deputy Clerk of the Legislature.

    There being no other nominations, President Carbone requested that a single vote be called for the candidate as presented.
Upon calling the roll, Reilly O’Brien, was elected to serve as Deputy Clerk of the Monroe County Legislature by the following vote:


Bertolone – Legislators Barnhart, Bauroth, Baynes, Hasman, LaMar, Maffucci, Morelle, Jr., Roman, Wilcox, Yudelson - 10

37. Intro. 432
Election No. 5

Election for Position of 2nd Assistant Deputy Clerk of the Legislature

Mr. Brew nominated Ian Watkins to serve as 2nd Assistant Deputy Clerk of the Monroe County Legislature. Mrs. DiFlorio seconded the nomination.

Mr. Morelle, Jr. nominated Saul Maniero to serve as 2nd Assistant Deputy Clerk of the Legislature. Mr. Wilcox seconded the nomination.

There being no other nominations, President Carbone requested that a single vote be called for the candidate as presented.

Upon calling the roll, Ian Watkins, was elected to serve as 2nd Assistant Deputy Clerk of the Monroe County Legislature by the following vote:


Maniero – Legislators Barnhart, Bauroth, Baynes, Hasman, Maffucci, Morelle, Jr., Roman, Wilcox, Yudelson - 9

UNFINISHED BUSINESS

Upon Motion by Legislator Brew, the Legislature Adjourned at 8:31 P.M. until Tuesday, October 12, 2021 at 6:00 P.M.

David Grant
Clerk of the Legislature