SEVENTEENTH DAY

TUESDAY, September 14, 2021

Legislature met pursuant to adjournment.

President Dr. Joe Carbone in the Chair.

ROLL CALL


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 21-0258.L.I. 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.)

   Intro. 394
   M. 100
   24-3

2. Dondorfer & Hebert 21-0258.L.I. 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. 395
   M. 101
   20-7

   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.)

3. Barnhart & Dondorfer 21-0296.L.I. Providing that Local Law Entitled, "To Establish the Food Delivery Fairness Act,”

   Agenda/Charter Committee; August 23, 2021 – CV: 4-0

   Intro. 395
   M. 101
   20-7

   Main Motion

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

   Intro. 371
   Res. 285
   27-0

   Main Motion


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

   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
Intro. 407
Mo. 106
27-0
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
21-0305 Authorizing Acceptance of Engineering Planning Grant from New York State Environmental Facilities Corporation for Frank E. Van Lare Water Resource Recovery
Facility - Recycle Improvements Study

Res. 295

Environment and Public Works Committee; August 23, 2021 - CV: 7-0

Ways and Means Committee; August 24, 2021, 2021 - CV: 11-0

19. Dondorfer & Hebert

Intro. 413

Res. 295

Facility - Recycle Improvements Study

Ways and Means Committee; August 24, 2021 – CV: 11-0

20. Dondorfer & Hebert

Intro. 414

Res. 296

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

21. Dondorfer & Hebert

Intro. 415

Res. 297

Accepting Grant from New York State Division of Homeland Security and Emergency Services for 2020-21 Public Safety Answering Points Operations Grant Program

Ways and Means Committee; August 24, 2021 – CV: 11-0

22. Dondorfer & Hebert

Intro. 416

Res. 298

Accepting Grant from New York State Governor’s Traffic Safety Committee for Highway Safety Program

Ways and Means Committee; August 24, 2021 – CV: 11-0

23. Dondorfer & Hebert

Intro. 417

Res. 299

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

24. Dondorfer & Hebert

Intro. 418

Res. 300

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.

Ways and Means Committee; August 24, 2021

25. Taylor & Hebert

Intro. 420

Res. 302

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

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
Jane Lee
Flagler-Mitchell
Hebert
LaMar
Intro. 429
Res. 311
27-0

Appointments to the Legislative District Revision Committee

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. 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, 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

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

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UNFINISHED BUSINESS

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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