

TENTH DAY

TUESDAY, September 11, 2018

Legislature met pursuant to adjournment.

President Dr. Joe Carbone in the Chair.

ROLL CALL

Present – Legislators Allkofer, Ancello, Bauroth, Brew, Carbone, Conley, Delehanty, DiFlorio, Drawe, Felder, Flagler-Mitchell, Harris, Hebert, Howland, Kaleh, Lightfoot, Maffucci, Micciche, Morelle, Jr., Muoio, Rockow, Sheppard, Taylor, Terp, Wilcox, Wilt, Zale – 27

Absent – Legislator Boyce, Marianetti – 2

Note: Legislator Boyce entered during the Public Forum and was present for the remainder of the meeting.

The meeting formally opened. Prayer led by Pastor Susan Garofalo of the First Congregational Church, at the invitation of Legislator Steve Brew. President Carbone called for a Moment of Silence in remembrance of 9/11. The Pledge of Allegiance to the Flag was led by Legislator Tanya Conley.

APPROVAL OF MINUTES

Without objection, the Journal of Day 9, August 14, 2018 was approved as submitted.

PETITIONS AND COMMUNICATIONS

None

PROCLAMATIONS

By the President of the Legislature – Dr. Joe Carbone

Recognized jointly with County Executive Cheryl Dinolfo, Legislator Matthew Terp and Legislator George J. Hebert, Kittleberger Florist and Gifts, on their 90 year celebration.
Read and Filed.

Recognized jointly with County Executive Cheryl Dinolfo, Mayra Ortiz, for being named 2018 Bilingual Administrator of the Year by the New York State Association for Bilingual Education.
Read and Filed.

Recognized jointly with County Executive Cheryl Dinolfo, CURE Childhood Cancer Association, in recognition of Childhood Cancer Awareness Month and their continued support of families who have children living with pediatric cancer.
Read and Filed.

RECESS

President Carbone recessed the meeting to allow for a Public Hearing entitled...

“Authorize Lease Agreement for Surplus Property at 5 Castle Park in City of Rochester, New York to Landmark Society of Western New York, Inc.”

No speakers addressed the Legislature and the Public Hearing concluded at 6:21 P.M.

RECONVENING LEGISLATURE

President Carbone reconvened the recessed meeting of September 11, 2018 and proceeded under the Usual Order of Business.

FORMAL COMMITTEE REPORTS

None

PUBLIC FORUM

An Open Forum was conducted to allow speakers to address the Legislature. There were eighteen speakers and the Open Forum concluded at 7:14 P.M.

Note: Legislator Boyce entered the Chambers.

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 11, 2018 and proceeded under the Usual Order of Business.

CONSIDERATION OF LOCAL LAWS

Conley,
Delehanty &
Kaleh
Intro. 258
M. 41
28-0

Motion to Move Agenda Item Nos. 1-21 as a Whole

1. Taylor, Terp & Delehanty
Intro. 259
M. 42
28-0
18-0221.LL Providing that Local Law (Intro. No. 235 of 2018), Entitled “Authorizing Lease Agreement for Surplus Property at 5 Castle Park in City of Rochester, New York to Landmark Society of Western New York, Inc.,” Be Lifted from the Table

2. Taylor, Terp & Delehanty
 Intro. 260
 M. 43
 28-0
- 18-0221.LL Providing that Local Law (Intro. No. 235 of 2018), Entitled “Authorizing Lease Agreement for Surplus Property at 5 Castle Park in City of Rochester, New York to Landmark Society of Western New York, Inc.,” Be Adopted
- Intro. 235
 Local Law TBA
 28-0
- Main Motion

MOTIONS, RESOLUTIONS AND NOTICES

3. DiFlorio & Delehanty
 Intro. 261
 Res. 210
 28-0
- 18-0227 Accepting Grant from Monroe County Industrial Development Corporation Planning and Economic Development Committee; August 27, 2018 – CV: 5-0
 Ways and Means Committee; August 28, 2018 – CV: 9-0
4. Boyce & Delehanty
 Intro. 262
 Res. 211
 28-0
- 18-0228 Accepting Aid to Localities Grant from New York State Division of Criminal Justice Services for Offices of District Attorney and Public Defender
 Public Safety Committee; August 27, 2018 – CV: 9-0
 Ways and Means Committee; August 28, 2018 – CV: 9-0
5. Boyce & Delehanty
 Intro. 263
 Res. 212
 28-0
- 18-0229 Accepting Grant from New York State Office of Indigent Legal Services for the Offices of Public Defender and Conflict Defender for Provision of Indigent Legal Services
 Public Safety Committee; August 27, 2018 – CV: 9-0
 Ways and Means Committee; August 28, 2018 – CV: 9-0
6. Boyce & Delehanty
 Intro. 264
 Res. 213
 28-0
- 18-0230 Accepting Grant from New York State Division of Criminal Justice Services for 2018-2019 Aid to Crime Laboratories Program (Monroe County Crime Laboratory)
 Public Safety Committee; August 27, 2018 – CV: 9-0
 Ways and Means Committee; August 28, 2018 – CV: 9-0
7. Boyce & Delehanty
 Intro. 265
 Res. 214
 28-0
- 18-0231 Accepting Grant from New York State Governor’s Traffic Safety Committee for Highway Safety Program
 Public Safety Committee; August 27, 2018 – CV: 9-0
 Ways and Means Committee; August 28, 2018 – CV: 9-0
8. Boyce & Delehanty
 Intro. 266
 Res. 215
 28-0
- 18-0232 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 27, 2018 – CV: 9-0
 Ways and Means Committee; August 28, 2018 – CV: 9-0
9. Brew & Delehanty
 Intro. 267
 Res. 216
 28-0
- 18-0233 Amending Resolution 114 of 2018 to Amend Contract with I.K. Systems, Inc. for Design, Installation, and Maintenance of Facial Recognition System at Greater Rochester International Airport
 Environment and Public Works Committee; August 27, 2018 – CV: 6-0
 Ways and Means Committee; August 28, 2018 – CV: 9-0

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| 10. Brew &
Delehanty
Intro. 268
Res. 217
28-0 | 18-0234 | Authorizing Contract with Cascades Recovery+, a Division of Cascades New York Inc. for Operation and Maintenance of Monroe County Resource Recovery Facility Environment and Public Works Committee; August 27, 2018 – CV: 6-0 Ways and Means Committee; August 28, 2018 – CV: 9-0 |
| 11. Brew &
Delehanty
Intro. 269
Res. 218
28-0 | 18-0235 | Authorizing Contract with Arcadis U.S., Inc. for Professional Engineering Services for Frank E. Van Lare Wastewater Treatment Plant Aeration Improvement Project Environment and Public Works Committee; August 27, 2018 – CV: 6-0 Ways and Means Committee; August 28, 2018 – CV: 9-0 |
| 12. Howland &
Delehanty
Intro. 270
Res. 219
28-0 | 18-0237 | Authorizing Acquisitions of Interests in Real Property for Culvert Replacement Project over Moorman Creek Tributary on Lawrence Road in Town of Clarkson Transportation Committee; August 28, 2018 – CV: 5-0 Ways and Means Committee; August 28, 2018 – CV: 9-0 |
| 13. Zale &
Delehanty
Intro. 271
Res. 220
28-0 | 18-0238 | Accepting Grant from New York State Department of Health for Support of Monroe County Nurse-Family Partnership Program and Authorizing Contract with Community Care of Rochester dba Visiting Nurse Signature Care Human Services Committee; August 28, 2018 – CV: 9-0 Ways and Means Committee; August 28, 2018 – CV: 9-0 |
| 14. Zale &
Delehanty
Intro. 272
Res. 221
28-0 | 18-0239 | Amending Resolution 274 of 2017 to Accept Additional Funding from New York State Department of Health for Drinking Water Enhancement Program Human Services Committee; August 28, 2018 – CV: 9-0 Ways and Means Committee; August 28, 2018 – CV: 9-0 |
| 15. Zale &
Delehanty
Intro. 273
Res. 222
28-0 | 18-0240 | Accepting Grant from New York State Office of Temporary and Disability Assistance for Supplemental Nutrition Assistance Program High Performance Bonus Award Funds for 2018-2019 Human Services Committee; August 28, 2018 – CV: 9-0 Ways and Means Committee; August 28, 2018 – CV: 9-0 |
| 16. Zale &
Delehanty
Intro. 274
Res. 223
28-0 | 18-0241 | Accepting Grant from New York State Office for Aging and Authorizing Contract with Lifespan of Greater Rochester, Inc. for New York Connects Expansion and Enhancement Program Human Services Committee; August 28, 2018 – CV: 9-0 Ways and Means Committee; August 28, 2018 – CV: 9-0 |
| 17. Zale &
Delehanty
Intro. 275
Res. 224
28-0 | 18-0242 | Accepting Grant from New York State Office of Alcoholism and Substance Abuse Services for Gambling LOCADTR Development Project and Prevention Education Coordinator Positive Action Middle School Project and Amending Resolution 432 of 2017 to Authorize Contracts for Provision of Mental Health, Developmental Disabilities, and Alcoholism and Substance Abuse Services in 2018 for Monroe County Office of Mental Health Human Services Committee; August 28, 2018 – CV: 9-0 Ways and Means Committee; August 28, 2018 – CV: 9-0 |
| 18. Delehanty &
Hebert
Intro. 276
Res. 225
28-0 | 18-0243 | Directing Correction, Cancellation and Levy of Certain Monroe County Taxes in Town of Webster Ways and Means Committee; August 28, 2018 – CV: 9-0 |

19. Delehanty & Hebert
 Intro. 277
 Res. 226
 28-0 18-0244 Amending Resolution 118 of 2011 to Increase Contract with Health Economics Group, Inc. for Third Party Administration of Monroe County's Flexible Spending Account Benefit, Qualified Pre-Tax Parking Program and Health Reimbursement Accounts
 Ways and Means Committee; August 28, 2018 – CV: 9-0
20. Delehanty & Hebert
 Intro. 278
 Res. 227
 28-0 18-0245 Authorizing Contract with Industrial/Organizational Solutions, Inc. for Civil Service Exam Writing and Consultant Services for Promotional Testing in Monroe County Sheriff's Office
 Ways and Means Committee; August 28, 2018 – CV: 9-0
21. Zale & Taylor
 Intro. 279
 Res. 228
 28-0 18-0246 Confirming Appointment to Monroe County Board of Health
 Human Services Committee; August 28, 2018 – CV: 9-0

Matters of Urgency

22. Zale & Delehanty
 Intro. 280
 Intro. 281
 M. 44
 28-0 18-0247 Accepting Funding from New York State Office of Alcoholism and Substance Abuse Services for Medically Supervised Withdrawal-Inpatient Services Program and Amending Resolution 432 of 2017 to Authorize Contracts for Provision of Mental Health, Developmental Disabilities, and Alcoholism and Substance Abuse Services in 2018 for Monroe County Office of Mental Health
 Matter of Urgency
 Bauroth/Lightfoot
 Motion to Amend Referral 18-0247

A motion was made to amend the language in Referral 18-0247; however, the Resolution contained the correct language.

To Amend paragraph 3 in Referral #18-0247, “Accept Funding from the New York State Office of Alcoholism and Substance Abuse Services for the Medically Supervised Withdrawal-Inpatient Services Program and to Amend Resolution 432 of 2017 to Authorize Contracts for the Provision of Mental Health, Developmental Disabilities, and Alcoholism and Substance Abuse Services in 2018 for the Monroe County Office of Mental Health” as follows:

Please refer to the attached Purchase of Services Information Form for disclosure of information required pursuant to Resolution ~~223~~ 432 of ~~2007~~ 2017, as amended by Resolution 11 of ~~2008~~ 2018.

Added Language is underlined

Deleted Language is ~~stricken~~

- Intro. 280
 Res. 229
 28-0 Main Motion
23. Conley & Rockow
 Intro. 282
 Elec. 4
 17-11 18-0266 Election for Position of Clerk of the Legislature
 Matter of Urgency
 Conley/Rockow nominated John D. Moffitt, Jr. to serve as Clerk
 Kaleh/Harris nominated Theresa Bertolone to serve as Clerk

Moffitt – Allkofer, Ancello, Boyce, Brew, Conley, Delehanty, DiFlorio, Drawe, Hebert, Howland, Micciche, Rockow, Taylor, Terp, Wilt, Zale, Carbone – 17

Bertolone – Kaleh, Bauroth, Felder, Flagler-Mitchell, Harris, Lightfoot, Maffucci, Morelle, Muoio, Sheppard, Wilcox - 11

UNFINISHED BUSINESS

None

Upon Motion by Legislator Conley, the Legislature Adjourned at 7:22 P.M. until **Tuesday, October 9, 2018 at 6:00 P.M.**

DIANA M. CHRISTODARO
Clerk of the Legislature