

FIFTH DAY

TUESDAY, March 9, 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*, Keophetlasy*, LaMar*, Lee*, Maffucci*, Marianetti*, Morelle, Jr.*, Roman*, Smith*, Taylor*, Terp*, Wilcox*, Wilt* – 28

Absent – Yudelson – 1

(Note: Legislator Yudelson joined the meeting during the Moment of Prayer and was present through adjournment.)

* Legislator Participated in the Meeting via Teleconference in Accordance with Executive Order 202.1 and 202.94, issued by Governor Andrew M. Cuomo.

SUSPENSION OF THE RULES

Intro. 87
M. 26
28-0

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 MARCH 9, 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 James C. Simmons of Baber African Methodist Episcopal Church, at the invitation of Legislator LaMar. The Pledge of Allegiance to the Flag was led by Legislator Sabrina LaMar.

(Note: Legislator Yudelson joined the meeting and was present through adjournment.)

IN MEMORIAM

35. Brew &
Felder
Intro. 88
Res. 62
29-0

21-0079 Expressing Regret of the Monroe County Legislature on the Recent Passing of Patricia K. Maffucci, Sister of Monroe County Legislature Howard Maffucci
Matter of Urgency

APPROVAL OF MINUTES

Without objection, the Journals of Day 3, February 9, 2021, and Day 4, February 25, 2021 were approved as submitted.

(Note: President Carbone stated the meeting had been closed to the public and all Legislators are participating via video or teleconference in accordance with Executive Order 202.1 and 202.94. 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.)

MOTIONS, RESOLUTIONS AND NOTICES

(Note: Upon unanimous consent of the Legislature, Item No. 36 was taken out of the regular agenda order.)

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| 36. Allkofer,
Hebert &
Wilt
Intro. 89
Res. 63
29-0 | 21-00117 | Authorizing Renaming of South Avenue Section of Highland Park in Honor of Gary Beikirch
Matter of Urgency |
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PETITIONS AND COMMUNICATIONS

None

PROCLAMATIONS

None

FORMAL COMMITTEE REPORTS

None

PUBLIC FORUM

An Open Forum was conducted. The comments of seven pre-registered participants were read and the Open Forum concluded at 6:26 P.M.

MOTIONS, RESOLUTIONS AND NOTICES

- | | | |
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| 1. Dondorfer &
Delehanty
Intro. 90
Res. 64
29-0 | 21-0049 | Amending 2021-2026 Capital Improvement Program to Add a Project Entitled "Frontier Field Major League Baseball Requirements"
Committee of the Whole; February 25, 2021- CV: 27-0 |
|---|---------|---|

2. Dondorfer & Delehanty
Intro. 91
M. 65
29-0

21-0049.br Resolution Authorizing the Issuance of \$1,000,000 Bonds of the County of Monroe, New York, to Finance the Cost of Improvements to Frontier Filed in and for Said County, at an Estimated Maximum Cost of \$1,000,000
Committee of the Whole; February 25, 2021- CV: 27-0

3. Smith & Delehanty
Intro. 92
Res. 66
29-0

21-0041 Amending 2021 Monroe County Budget to Eliminate County Food Service Fees During the COVID-19 State of Emergency
Committee of the Whole; February 25, 2021- CV: 27-0

4. Felder & Flagler-Mitchell
LaMar
Intro. 93

21-0042 Dignified Indigent Burial Act
Committee of the Whole; February 25, 2021- CV: 27-0

Intro. 94
M. 27

Roman/Baynes/Maffucci (*Motion to Amend*)
PROVIDING THAT RESOLUTION (INTRO NO. 93 OF 2021), ENTITLED “DIGNIFIED INDIGENT BURIAL ACT,” BE AMENDED
BE IT MOVED, that Intro No. 93 of 2021, be amended as follows:

Section 1. The Supplemental Funeral Assistance Grant’s maximum allocation amount is hereby increased in an amount not to exceed \$2,000 for decedents aged six years or older and ~~\$800~~ \$1,250 for deceased children aged five years or younger.

Section 2. The Supplemental Funeral Assistance Grant shall be available for funerals not to exceed \$7,000.

Section 3. Funding for this grant increase is included in the 2021 operating budget of the Department of Human Services, general fund 9001, funds center 5111010000, Family Assistance and 5110010000, Safety Net Assistance.

Section 4. The Monroe County Legislature hereby requests that the County Executive consider including the Supplemental Funeral Assistance Grant in the general tax levy within his proposed 2022 Annual Budget for Monroe County.

Section 5. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Added Language is underlined
Deleted Language is ~~stricken~~

Intro. 95
M. 28
Withdrawn

Flagler-Mitchell/Felder/Trerp (*Motion to Amend the Amendment*)
PROVIDING THAT INTRO. NO. 94 OF 2021 BE AMENDED
BE IT MOVED, that Intro No. 94 of 2021, be amended as follows:

Section 1. The Supplemental Funeral Assistance Grant’s maximum allocation amount is hereby increased in an amount not to exceed \$2,000 for decedents aged six years or older and \$1,250 for deceased children aged five years or younger.

Section 2. The Supplemental Funeral Assistance Grant shall be available for funerals not to exceed ~~\$7,000~~ \$10,000.

Section 3. Funding for this grant increase is included in the 2021 operating budget of the Department of Human Services, general fund 9001, funds center 5111010000, Family Assistance and 5110010000, Safety Net Assistance.

~~Section 4. The Monroe County Legislature hereby requests that the County Executive consider including the Supplemental Funeral Assistance Grant in the general tax levy within his proposed 2022 Annual Budget for Monroe County.~~

Section ~~5~~ 4. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Added Language is underlined
Deleted Language is ~~stricken~~

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| Intro. 94
M. 27
9-20F | Motion to Amend | |
| | <i>Legislators Barnhart, Baurtoth, Baynes, Hasman, Maffucci, Morelle, Jr., Roman, Wilcox and Yudelson Voted in the Positive.</i> | |
| Intro. 96
M. 29
29-0 | Colby/Brew (<i>Motion to Call Question</i>)
PROVIDING THAT THE QUESTION BE CALLED
Be It Moved that the question be, and hereby is called on Intro. No. 93 of 2021. | |
| Intro. 93
Res. 67
29-0 | Main Motion | |
| 5. Taylor & Delehanty
Intro. 97
Res. 68
29-0 | 21-0045 | Designated Official Newspaper for County of Monroe for 2021 Committee of the Whole; February 25, 2021- CV: 27-0 |
| 6. Dondorfer & Wilt
Intro. 98
Res. 69
29-0 | 21-0046 | Classification of Action and Determination of Significance Pursuant to State Environmental Quality Review Act for Acceptance of Two Grants from the Oswego County Soil and Water Conservation District for Water Quality Program and Authorizing Contract with Monroe County Soil and Water Conservation District Committee of the Whole; February 25, 2021- CV: 27-0 |
| 7. Dondorfer & Delehanty
Intro. 99
Res. 70
29-0 | 21-0047 | Accepting Two Grants from the Oswego County Soil and Water Conservation District for Water Quality Program and Authorizing Contract with Monroe County Soil and Water Conservation District Committee of the Whole; February 25, 2021- CV: 27-0 |
| 8. Dondorfer, Delehanty
Intro. 100
Res. 71
29-0 | 21-0048.br | Resolution Authorizing the Issuance of \$7,100,000 Bonds of the County of Monroe, New York, to Finance the Cost of the Reconstruction and Upgrading of the Second and Third Floors of the Public Safety Building, in and for Said County, as an Estimated Maximum Cost of \$7,100,000 and Superseding the Bond Resolution Adopted on December 10, 2019 (Resolution No. 331 of 2019) Committee of the Whole; February 25, 2021- CV: 27-0 |
| 9. Boyce & Delehanty
Intro. 101
Res. 72
29-0 | 21-0050 | Amending Resolution 270 of 2019 as Amended by Resolution 31 of 2020 Authorizing Contract with Securus Technologies, Inc. to Provide Collect Telephone Calls at No Cost to Inmates of the Monroe County Jail and the Andrew P. Meloni S.T.A.R. Academy, Formerly Known as the Monroe Correctional Facility Committee of the Whole; February 25, 2021- CV: 28-0 |

10. Boyce & Delehanty
Intro. 102
Res. 73
29-0
21-0051 Accepting Grant from United States Department of Homeland Security - Homeland Security Investigations - Rochester Division for State and Local Overtime Committee of the Whole; February 25, 2021- CV: 28-0
11. Boyce, Ancello & Delehanty
Intro. 103
Res. 74
29-0
21-0052 Authorizing Intermunicipal Agreements with Yates and Chautauqua Counties for Reimbursement to Monroe County Sheriff's Office for Provision of Security and Transportation Services for Inmates of Yates and Chautauqua Counties at Rochester Psychiatric Center
Committee of the Whole; February 25, 2021- CV: 28-0
12. Boyce & Delehanty
Intro. 104
Res. 75
29-0
21-0053 Amending Resolution 352 of 2019 to Accept Additional Funding and Extending Time Period for Aid to Localities Grant from New York State Division of Criminal Justice Services for Offices of District Attorney and Public Defender
Committee of the Whole; February 25, 2021- CV: 28-0
13. Boyce & Delehanty
Intro. 105
Res. 76
29-0
21-0054 Accepting Grant from New York State Office of Indigent Legal Services for Offices of Public Defender and Conflict Defender for Caseload Reduction
Committee of the Whole; February 25, 2021- CV: 28-0
14. Boyce & Delehanty
Intro. 106
Res. 77
29-0
21-0055 Accepting Grant from Transportation Security Administration to Continue Partnership with Monroe County Sheriff's Office for the National Explosive Detection Canine Team Program
Committee of the Whole; February 25, 2021- CV: 28-0
15. Boyce & Dondorfer
Intro. 107
Res. 78
29-0
21-0056 Adoption of Monroe County Sheriff's Plan Pursuant to New York State Executive Order 203
Committee of the Whole; February 25, 2021- CV: 28-0
16. Wilt & Delehanty
Intro. 108
Res. 79
29-0
21-0057 Approving Public Employees Blanket Bond for Genesee/Finger Lakes Regional Planning Council
Committee of the Whole; February 25, 2021- CV: 28-0
17. Wilt & Delehanty
Intro. 109
Res. 80
29-0
21-0058 Authorizing Annual Contribution to Genesee/Finger Lakes Regional Planning Council
Committee of the Whole; February 25, 2021- CV: 28-0
18. Wilt & Delehanty
Intro. 110
Res. 81
29-0
21-0059 Accepting Grant from Genesee Transportation Council for Land Use Project
Committee of the Whole; February 25, 2021- CV: 28-0

19. Colby & Delehanty
Intro. 111
Res. 82
29-0
21-0060 Contract with Keeler Construction Co., Inc. for Construction Services for the 2021 Highway Maintenance Project in the Towns of Greece, Parma, and Irondequoit and the City of Rochester
Committee of the Whole; February 25, 2021- CV: 28-0
20. Colby & Delehanty
Intro. 112
Res. 83
29-0
21-0061 Authorizing Contract with C.P. Ward, Inc. for Construction Services for Elmgrove Road Culvert Project over Round Creek Tributary in Town of Gates
Committee of the Whole; February 25, 2021- CV: 28-0
21. Colby & Delehanty
Intro. 113
Res. 84
29-0
21-0062 Authorizing Acquisition of Interests in Real Property for Lake Road Phase II Highway Rehabilitation Project in Town of Webster
Committee of the Whole; February 25, 2021- CV: 28-0
22. Dondorfer & Wilt
Intro. 114
Res. 85
29-0
21-0063 Classification of Action and Determination of Significance Pursuant to the State Environmental Quality Review Act for the Acquisition of Interests in Real Property for the Phillips Road Highway Improvement Project located at 800 Phillips Road in the Village of Webster
Committee of the Whole; February 25, 2021- CV: 28-0
23. Colby & Delehanty
Intro. 115
Res. 86
29-0
21-0064 Authorizing Acquisition of Interests in Real Property for Phillips Road Improvement Project Located at 800 Phillips Road in Village of Webster
Committee of the Whole; February 25, 2021- CV: 28-0
24. Smith & Delehanty
Intro. 116
Res. 87
29-0
21-0065 Amending Resolution 432 of 2017, as Amended by Resolution 229 of 2018, to Increase Contracts for Provision of Mental Health, Developmental Disabilities, and Alcoholism and Substance Abuse Services in 2018 for Monroe County Office of Mental Health
Committee of the Whole; February 25, 2021- CV: 28-0
25. Smith & Delehanty
Intro. 117
Res. 88
29-0
21-0066 Accepting Grant from New York State Office of Children and Family Services for Safe Harbour Initiative for 2021
Committee of the Whole; February 25, 2021- CV: 28-0
26. Allkofer & Delehanty
Intro. 118
Res. 89
29-0
21-0067 Accepting Grant from Association of Zoos and Aquariums for Orangutan Conservation Project Led by Monroe County's Seneca Parks Zoo
Committee of the Whole; February 25, 2021- CV: 28-0
27. Ancello & Delehanty
Intro. 119
Res. 90
29-0
21-0068 Authorizing Intermunicipal Agreement with City of Rochester Police Department for Traffic Control Services at Frontier Field
Committee of the Whole; February 25, 2021- CV: 28-0
(*Legislator Dondorfer declared his interest prior to the vote.*)

28. Ancello, Delehanty & LaMar
Intro. 120
Res. 91
29-0 21-0069 Authorizing Intermunicipal Agreement with City of Rochester to Accept Funding for Monroe County Eviction Prevention Pilot Initiative 2.0 Program
Committee of the Whole; February 25, 2021- CV: 28-0
29. Delehanty & Hebert
Intro. 121
Res. 92
28-1 21-0070 Authorizing Settlement of Lawsuit in the U.S. District Court for the Eastern District of New York, Case Number 15-cv-6119
Committee of the Whole; February 25, 2021- CV: 27-1

(Legislator Boyce Voted in the Negative.)
30. Delehanty & Hebert
Intro. 122

Intro. 123
M. 30
29-0 21-0071 Accepting Grant from United States Department of the Treasury for Emergency Rent Assistance for Monroe County Eviction Prevention Pilot Initiative 2.0 Program
Committee of the Whole; February 25, 2021- CV: 28-0

Hebert/Wilt *(Motion to Amend)*

PROVIDING THAT RESOLUTION (INTRO. NO. 122 OF 2021), ENTITLED “ACCEPTING GRANT FROM UNITED STATES DEPARTMENT OF THE TREASURY FOR EMERGENCY RENT ASSISTANCE FOR MONROE COUNTY EVICTION PREVENTION PILOT INITIATIVE 2.0 PROGRAM,” BE AMENDED

BE IT MOVED, that Resolution (Intro. No. 122 of 2021), entitled “ACCEPTING GRANT FROM UNITED STATES DEPARTMENT OF THE TREASURY FOR EMERGENCY RENT ASSISTANCE FOR MONROE COUNTY EVICTION PREVENTION PILOT INITIATIVE 2.0 PROGRAM,” be amended as follows:

Section 1. The County Executive, or his designee, is hereby authorized to accept a \$15,900,965.70 grant from, and to execute a contract and any amendments thereto with, the United States Department of the Treasury for Emergency Rent Assistance for the Monroe County Eviction Prevention Pilot Initiative 2.0 program, for the period of January 1, 2021 through December 31, 2021.

Section 2. The 2021 operating budget of the Department of Finance is hereby amended by appropriating the sum of \$15,900,965.70 into general fund 9001, funds center 1209070200, Emergency Rental Assistance. The County Executive, or his designee, is hereby required to file bi-weekly reports with the Legislature which shall include a balance sheet designed to report on the overall status of the program, number of applications received, including those approved, denied or pending detailed by zip code, distribution of approved funding and number of renters assisted detailed by zip code, amounts committed, paid, and encumbered to-date for the entire grant period, and amounts committed, paid, and encumbered for the proceeding week. Reports shall be provided in written or electronic form and filed with the Clerk of the Legislature bi-weekly through the end of the grant period.

Section 3. The County shall host an informational session in each of the nineteen (19) towns in Monroe County, and the Town/Village of East Rochester, to provide an overview of the Eviction Prevention Pilot Initiative 2.0 Program for eligible tenants and property owners.

Section 4. Monroe County Real Property Tax Service, in conjunction with the Division of Treasury, and Division of Geographic Information System, shall provide each

Legislator with an electronic file containing a listing of likely rental properties in their respective district, which shall include, but is not limited to, multi-family homes, apartment complexes, manufactured homes, and single family home with mailing addresses that differ from the real property address.

Section ~~3~~ 5. The County Executive, with approval from the 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 ~~4~~ 6. Should funding of this program be modified or terminated for any reason, the County Executive, with approval from the 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 agreements affecting such positions.

Section ~~5~~ 7. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Added language is underlined.
Deleted language is ~~stricken~~

Intro. 122
Res. 93
29-0

Main Motion (*As Amended by Motion No. 30*)

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| 31. Delehanty & Hebert
Intro. 124
Res. 94
29-0 | 21-0072 | Authorizing Issuance of Refunding Bonds
Committee of the Whole; February 25, 2021- CV: 28-0 |
| 32. Hebert & Delehanty
Intro. 125
Res. 95
29-0 | 21-0072.br | A Resolution Authorizing the Issuance Pursuant to Section 90.10 of the Local Finance Law of Refunding Bonds of the County of Monroe, New York, to be Designated Substantially "Public Improvement Refunding (Serial) Bonds". And Providing for Other Matters in Relation Thereto and the Payment of the Bonds to be Refunded Thereby
Committee of the Whole; February 25, 2021- CV: 28-0 |
| 33. Delehanty & Hebert
Intro. 126
Res. 96
29-0 | 21-0073 | Amending Resolution 273 of 2014 to Increase the Contract with Health Economics Group, Inc. for Third Party Administration of Monroe County's Self-Insured Employee/Retiree Dental Insurance Plan
Committee of the Whole; February 25, 2021- CV: 28-0 |
| 34. Delehanty & Hebert
Intro. 127
Res. 97
29-0 | 21-0074 | Confirmation of Appointment of Director of Office of Diversity, Equity and Inclusion
Committee of the Whole; February 25, 2021- CV: 28-0 |

UNFINISHED BUSINESS

Upon Motion by Legislator Brew, the Legislature Adjourned at 9:07 P.M. until **Tuesday, April 13, 2021 at 6:00 P.M.**

Jack Moffitt
Clerk of the Legislature