

**FIFTH DAY**

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**TUESDAY, March 9, 2021**

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Legislature met pursuant to adjournment.

President Dr. Joe Carbone in the Chair.

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**ROLL CALL**

Present – Legislators Allkofer\*, Ancello\*, Barnhart\*, Bauroth\*, Baynes\*, Boyce\*, Brew\*, Carbone, Colby\* Delehanty\*, DiFlorio\*, Dondorfer\*, Felder\*, Flagler-Mitchell\*, Hasman\*, Hebert\*, Keophtelasy\*, 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.

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**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.

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**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.)*

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**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

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## 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.)*

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

*None*

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## PROCLAMATIONS

*None*

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## FORMAL COMMITTEE REPORTS

*None*

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## 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.

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## MOTIONS, RESOLUTIONS AND NOTICES

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

2. Dondorfer & Delehanty  
Intro. 91  
Res. 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<br>M. 27<br>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<br>M. 29<br>29-0                               | Colby/Brew ( <i>Motion to Call Question</i> )<br>PROVIDING THAT THE QUESTION BE CALLED<br>Be It Moved that the question be, and hereby is called on Intro. No. 93 of 2021. |  |
| Intro. 93<br>Res. 67<br>29-0                             | Main Motion  |  |
| 5. Taylor & Delehanty<br>Intro. 97<br>Res. 68<br>29-0    | 21-0045  | Designated Official Newspaper for County of Monroe for 2021<br>Committee of the Whole; February 25, 2021- CV: 27-0   |
| 6. Dondorfer & Wilt<br>Intro. 98<br>Res. 69<br>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<br>Committee of the Whole; February 25, 2021- CV: 27-0   |
| 7. Dondorfer & Delehanty<br>Intro. 99<br>Res. 70<br>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<br>Committee of the Whole; February 25, 2021- CV: 27-0   |
| 8. Dondorfer, Delehanty<br>Intro. 100<br>Res. 71<br>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)<br>Committee of the Whole; February 25, 2021- CV: 27-0 |
| 9. Boyce & Delehanty<br>Intro. 101<br>Res. 72<br>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<br>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*)

- |   |            |   |
|---|------------|---|
| 31. Delehanty & Hebert<br>Intro. 124<br>Res. 94<br>29-0 | 21-0072    | Authorizing Issuance of Refunding Bonds<br>Committee of the Whole; February 25, 2021- CV: 28-0  |
| 32. Hebert & Delehanty<br>Intro. 125<br>Res. 95<br>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<br>Committee of the Whole; February 25, 2021- CV: 28-0 |
| 33. Delehanty & Hebert<br>Intro. 126<br>Res. 96<br>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<br>Committee of the Whole; February 25, 2021- CV: 28-0   |
| 34. Delehanty & Hebert<br>Intro. 127<br>Res. 97<br>29-0 | 21-0074    | Confirmation of Appointment of Director of Office of Diversity, Equity and Inclusion<br>Committee of the Whole; February 25, 2021- CV: 28-0   |



**UNFINISHED BUSINESS**

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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