

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
21-0258.LL 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
Intro. 396
M. 102
9-18
Intro. 395
M. 101
20-7
21-0258.LL 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)
Wilcox and Morelle, Jr. (Motion to Table)
(Legislators Barnhart, Bauroth, Baynes, Hasman, Maffucci, Morelle, Jr., Roman, Wilcox, and Yudelson Voted in the Positive.)
Main Motion
(Legislators Bauroth, Baynes, Maffucci, Morelle, Jr., Roman, Wilcox and Yudelson Voted in the Negative.)
3. Barnhart & Dondorfer
21-0296.LL Providing that Local Law Entitled, "To Establish the Food Delivery Fairness Act,"
Agenda/Charter Committee; August 23, 2021 – CV: 4-0

Intro. 397

Introductory Purposes

4. Barnhart & Dondorfer
Intro. 398
M. 103
27-0
- 21-0296.LL 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.LL 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 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
- Intro. 407
Mo. 106
27-0
- 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

- Intro. 413
Res. 295
27-0
- Facility - Recycle Improvements Study
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. 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
- 21-0315
- Amending Resolution 214 of 2015, as Amended by Resolution 403 of 2015, Resolution 250 of 2016, Resolution 294 of 2017, and Resolution 198 of 2020, to Accept Additional Funding from New York State Department of Health and Extending Time Period and Authorizing Contract with Rochester Regional Health, Through Its Rochester General Hospital Permitted Laboratories, For the Public Health Campaign Program
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
- 21-0316
- 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
- 21-0317
- 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
- 21-0318
- 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
- 21-0319
- 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
- 21-0320
- 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
- 21-0324
- 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
- 21-0359
- Authorizing Two Settlement Agreements in New York Coordinated Opioid Litigation (Supreme Court, Suffolk County Index No. 400000/2017)

Hebert
LaMar
Maffucci
Yudelson
Intro. 393
Res. 283
27-0

RECESS

A recess was declared by President Carbone.

RECONVENING LEGISLATURE

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

35. Brew & 21-0360 Appointments to the Legislative District Revision Committee
Felder
Lee
Flagler-Mitchell
Hebert
LaMar
Intro. 429
Res. 311
27-0

36. Intro. 430 Election for Position of Clerk of the Legislature
Election No. 3

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 for Position of Deputy Clerk of the Legislature
Election No. 4

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:

O'Brien – Legislators Brew, Felder, Lee, Allkofer, Ancello, Colby, DiFlorio, Dondorfer, Flagler-Mitchell, Hebert, Keller, Keophetlasy, Marianetti, Smith, Taylor, Wright, Carbone - 17

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:

Watkins – Legislators Brew, Felder, Lee, Allkofer, Ancello, Colby, DiFlorio, Dondorfer, Flagler-Mitchell, Hebert, Keller, Keophetlasy, LaMar, Marianetti, Smith, Taylor, Wright, Carbone - 18

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