

SIXTH DAY

TUESDAY, JUNE 13, 2023

Legislature met pursuant to adjournment.

President LaMar in the Chair.

ROLL CALL

Present – Legislators Allkofer, Barnhart, Baynes, Blankley, Brew, Burgess, Colby, Delehanty, Delvecchio Hoffman, DiFlorio, Dondorfer, Frazier, Hasman, Hebert, Hughes-Smith, Johns, LaMar, Long, Maffucci, McCabe, Milne, Morris, Roman, Smith, Taylor, Vazquez Simmons, Yudelson – 27

Absent – Vecchio, Keller - 2

(Note: Legislator Vecchio Entered the Chambers at 7:44 P.M. and was Present for the Remainder of the Meeting.)

MOMENT OF PRAYER

The meeting formally opened. Rabbi Rochelle Tulik, Associate Rabbi of Temple B'rith Kodesh led a moment of prayer at the Invitation of Legislator Michael Yudelson. The Pledge of Allegiance to the Flag was led by Legislator Howard Maffucci.

APPROVAL OF MINUTES

Without objection, the Journal of Day 5, May 9, 2023 was approved as submitted.

PETITIONS AND COMMUNICATIONS

None

PROCLAMATION

By the President of the Legislature – Sabrina LaMar

Recognized by President Sabrina LaMar, Legislator Mercedes Vazquez Simmons, Legislator Paul Dondorfer and Legislator John Baynes honored the organization Primetime 585 for their contributions to the Monroe County Community through sports programs to build relationships to help bridge cultural, economic, and geographical barriers for our youth

Read and Filed

Recognized jointly with President Sabrina LaMar and Legislator Rachael Barnhart, Legislator Linda Hasman, and Legislator Albert Blankley to honor Scott Kroner for his 30 years of service with Masterminds Rochester, which is an organization that helps youth in Art, Biology, Geography, History, Literature, Music, Political Science, Religion and Sports

Read and Filed.

Recognized jointly by President Sabrina LaMar and by Legislator Mercedes Vazquez Simmons and Legislator William Burgess to Honor the Day of Life Foundation for their assistance with helping families through access to fundraisers, youth programs, and volunteer opportunities to promote a positive change in Monroe County

Read and Filed

RECESS

A recess was declared by President LaMar to allow for a meeting of the Rochester Pure Waters Administrative Board before the Legislature.

RECONVENING THE LEGISLATURE

President LaMar adjourned the Pure Waters Administrative Board and reconvened the recessed meeting of June 13, 2023 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 eleven speakers and the Open Forum concluded at 6:49 P.M.

CONSIDERATION OF LOCAL LAWS

1. Johns & Smith
Intro. 199

23-0171.LL Enacting a Local Law Entitled “Amending Chapter 25 of the Monroe County Administrative Code to Allow Procurement on the Basis of Best Value”
Agenda Charter Committee; May 22, 2023 – CV: 5-0
Ways and Means Committee; May 23, 2023 – CV: 11-0
(*For Introductory Purposes Only*)

2. Brew & Smith

23-0171.LL Providing that Intro. No. 199 of 2023 Be Amended

Be It Moved, that Intro. No. 199 of 2023, be amended as follows:

Adding Subsection L to Section 3:

L. The Purchasing Manager shall submit reports to the Clerk of the Legislature noting how many public bids were awarded each month, on what basis each public bid was awarded, and, if such basis was best value, what criteria was used to rate proposals and evaluation results.

Intro. 200
M. 36
27-0

3. Johns & Smith
Intro. 201
M. 37
27-0
- 23-0171.LL Providing that Local Law (Intro. No. 199 of 2023) Entitled “Amending the Monroe County Purchasing Law to Allow Procurement on the Basis of Best Value”, Be Tabled
4. Johns & Smith
Intro. 202
Res. 162
27-0
- 23-0171.LL Fixing a Public Hearing on Local Law (Intro. No. 199 of 2023) Entitled “Amending the Monroe County Purchasing Law to allow Procurement on the Basis of Best Value”
(Public Hearing is Scheduled for Tuesday, July 11, 2023 at 6:15 P.M.)
5. Johns & Smith
Intro. 203
- 23-0181.LL Enact a Local Law Entitled “Monroe County Fair Chance Employment Act”
*Matter of Urgency
(For Introductory Purposes Only)*
6. Johns & Smith
Intro. 204
M. 38
27-0
- 23-0181.LL Providing that Local Law (Intro. No. 203 of 2023), Entitled “Monroe County Fair Chance Employment Act”, Be Tabled
7. Johns & Smith
Intro. 205
Res. 163
27-0
- 23-0181.LL Fixing a Public Hearing on Local Law (Intro. No. 203 of 2023) Entitled “Monroe County Fair Chance Employment Act”
(Public Hearing is Scheduled for Tuesday, July 11, 2023 at 6:18 P.M.)

MOTIONS, RESOLUTIONS AND NOTICES

8. DiFlorio & Smith
Brew
Allkofer
Dondorfer
Hebert
McCabe
Morris
Intro. 206
- 23-0144 Adopting 2024-2029 Capital Improvement Program
Planning and Economic Development Committee; May 22, 2023 – CV: 5-0
Environment and Public Works Committee; May 22, 2023 – CV: 7-0
Intergovernmental Relations Committee; May 22, 2023 – CV: 4-0
Recreation and Education Committee; May 22, 2023 – CV: 5-0
Humans Services Committee; May 23, 2023 – CV: 9-0
Transportation Committee; May 23, 2023 – CV: 7-0
Public Safety Committee; May 23, 2023 – CV: 8-0
Ways and Means Committee; May 23, 2023 – CV: 11-0
(For Introductory Purposes Only)
9. DiFlorio & Brew
Allkofer
Dondorfer
Hebert
McCabe
Morris
Smith
Intro. 207
M. 39
27-0
- 23-0144 Providing that Resolution (Intro. No. 206 of 2023), “Adopting 2024-2029 Capital Improvement Program,” Be Tabled
10. DiFlorio & Brew
Allkofer
Dondorfer
Hebert
McCabe
- 23-0144 Fixing Public Hearing for Adoption of 2024-2029 Capital Improvement Program
(Public Hearing is Scheduled for Tuesday, July 11, 2023 at 6:16 P.M.)

Morris
Smith
Intro. 208
Res. 164
27-0

Brew &
Roman
Intro. 209
M. 40
27-0

Motion to Move Remaining Agenda Items as a Whole Except Item Nos. 22, 31-33, 40, 42-44 and 48-49

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| 11. McCabe &
Smith
Allkofer
Intro. 210
Res. 165
27-0 | 23-0145 | Authorizing Contract with Passero Associates Engineering, Architecture and Surveying, D.P.C. for Professional Design Services for Monroe County Parks System-Wide Facilities Renovations Project
Environment and Public Works Committee; May 22, 2023 – CV: 7-0
Recreation and Education Committee; May 22, 2023 – CV: 5-0
Ways and Means Committee; May 23, 2023 – CV: 11-0 |
| 12. McCabe &
Smith
Dondorfer
Intro. 211
Res. 166
27-0 | 23-0146 | Authorizing Contracts with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C., Erdman Anthony and Associates, Inc., and Labella Associates, D.P.C. for Monroe County Sheriff's Office Architectural and Engineering Term Services
Environment and Public Works Committee; May 22, 2023 – CV: 7-0
Public Safety Committee; May 23, 2023 – CV: 8-0 |
| 13. McCabe &
Smith
Intro. 212
Res. 167
27-0 | 23-0147 | Authorizing Contracts with M/E Engineering, P.C. and Wendel WD Architecture, Engineering, Surveying & Landscape Architecture, P.C. for Energy Engineering Term Services
Environment and Public Works Committee; May 22, 2023 – CV: 7-0
Ways and Means Committee; May 23, 2023 – CV: 11-0 |
| 14. McCabe &
Smith
Intro. 213
Res. 168
27-0 | 23-0148 | Authorizing Contracts with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors D.P.C., Fisher Associates, P.E., L.S., L.A., D.P.C., Geocove, Inc., and Wendel WD Architecture Engineering Surveying & Landscape Architecture, P.C. for Geographic Information System Term Services
Environment and Public Works Committee; May 22, 2023 – CV: 7-0
Ways and Means Committee; May 23, 2023 – CV: 11-0 |
| 15. McCabe &
Johns
Intro. 214
Res. 169
27-0 | 23-0150 | Classification of Action and Determination of Significance Pursuant to State Environmental Quality Review Act for Sale of County Owned Tax Foreclosure Property Located at 456 Westside Drive in the Town of Gates
Environment and Public Works Committee; May 22, 2023 – CV: 7-0 |
| 16. Smith &
Delehanty
Intro. 215
Res. 170
27-0 | 23-0151 | Authorizing Sale of County Owned Tax Foreclosure Property Located at 456 Westside Drive in the Town of Gates
Environment and Public Works Committee; May 22, 2023 – CV: 7-0 |
| 17. McCabe &
Johns
Intro. 216
Res. 171
27-0 | 23-0152 | Classification of Action and Determination of Significance Pursuant to State Environmental Quality Review Act for Sale of County Owned Tax Foreclosure Property Located at 189 Golden Road in Town of Chili
Environment and Public Works Committee; May 22, 2023 – CV: 7-0 |
| 18. Smith &
Delehanty
Intro. 217 | 23-0153 | Authorizing Sale of County Owned Tax Foreclosure Property Located at 189 Golden Road in the Town of Chili
Ways and Means Committee; May 23, 2023 – CV: 11-0 |

- Res. 172
27-0
19. McCabe & Johns
Intro. 218
Res. 173
27-0
20. McCabe & Johns
Intro. 219
Res. 174
27-0
21. McCabe & Johns
Intro. 220
Res. 175
27-0
23. Allkofer & Smith
Intro. 221
Res. 176
27-0
24. Brew & Smith
Intro. 222
Res. 177
27-0
25. Morris & Smith
Intro. 223
Res. 178
27-0
26. Morris & Smith
Intro. 224
Res. 179
27-0
27. Morris & Smith
Intro. 225
Res. 180
27-0
28. Morris & Smith
Intro. 226
Res. 181
27-0
29. Dondorfer &
- 23-0154 Classification of Action and Determination of Significance Pursuant to State Environmental Quality Review Act for First Time Home Buyers Program Funded Through Monroe County Home Investment Partnerships Program
Environment and Public Works Committee; May 22, 2023 – CV: 7-0
- 23-0155 Classification of Action and Determination of Significance Pursuant to State Environmental Quality Review Act for the Acquisition Rehab Resale Program Funded Through Monroe County Home Investment Partnerships Program
Environment and Public Works Committee; May 22, 2023 – CV: 7-0
- 23-0156 Classification of Action and Determination of Significance Pursuant to State Environmental Quality Review Act for Lifetime Assistance Brick Schoolhouse Road Project Funded through Monroe County Home Investment Partnerships Program
Environment and Public Works Committee; May 22, 2023 – CV: 7-0
- 23-0158 Accepting Gift from Greater Rochester Disc Golf Club of Disc Golf Baskets for Ellison Park’s Disc Golf Course
Recreation and Education Committee; May 22, 2023 – CV: 5-0
Ways and Means Committee; May 23, 2023 – CV: 11-0
- 23-0159 Accepting Grant from New York State Department of Health for Nutrition Programs and Amending Resolution 246 of 2020 Extending Term of Contract for Support of Special Supplemental Nutrition Program for Women, Infants & Children Program
Humans Services Committee; May 23, 2023 – CV: 9-0
Ways and Means Committee; May 23, 2023 – CV: 11-0
- 23-0160 Authorizing Contract with Labella Associates, D.P.C. for Engineering Services for Attridge Road Culvert Project in the Town of Riga
Transportation Committee; May 23, 2023 – CV: 7-0
Ways and Means Committee; May 23, 2023 – CV: 11-0
- 23-0161 Authorizing Contract with Barton & Loguidice, D.P.C. for Engineering Services for Redman Road Bridge Project Over Yanty Creek in the Town of Hamlin
Transportation Committee; May 23, 2023 – CV: 7-0
Ways and Means Committee; May 23, 2023 – CV: 11-0
- 23-0162 Authorizing Contract with Stantec Consulting Services, Inc. for Engineering Services for Phillips Road Project in the Town and Village of Webster
Transportation Committee; May 23, 2023 – CV: 7-0
Ways and Means Committee; May 23, 2023 – CV: 11-0
- 23-0162.br Resolution Authorizing the Issuance of \$450,000 Bonds of the County of Monroe, New York, to Finance the Cost of the Reconstruction of Phillips Road (NYS Route 104 to Schlegel Road), in and for Said County, at an Estimated Maximum Cost of \$450,000 and Superseding the Bond Resolution Adopted on December 13, 2022 (Resolution No.443 of 2022)
Transportation Committee; May 23, 2023 – CV: 7-0
Ways and Means Committee; May 23, 2023 – CV: 11-0
- 23-0163 Accepting Grant from New York State Division of Criminal Justice Services for the

- Smith
Intro. 227
Res. 182
27-0
- District Attorney's Office for the Non-Fatal Shooting Initiative
Public Safety Committee; May 23, 2023 – CV: 8-0
Ways and Means Committee; May 23, 2023 – CV: 11-0
30. Hebert & Dondorfer Smith
Intro. 228
Res. 183
27-0
- 23-0164 Authorizing Intermunicipal Agreement with Hilton Parma Fire District for Storage and Deployment of Monroe County Hazardous Materials Response Trailer
Intergovernmental Relations Committee; May 22, 2023 – CV: 4-0
Public Safety Committee; May 23, 2023 – CV: 8-0
Ways and Means Committee; May 23, 2023 – CV: 11-0
34. Dondorfer & Smith
Intro. 229
Res. 184
27-0
- 23-0166 Accepting Grant from New York State Canal Corporation for New York State Canal Corporation Marine Patrol Marching Grant Program
Public Safety Committee; May 23, 2023 – CV: 8-0
Ways and Means Committee; May 23, 2023 – CV: 11-0
35. Brew & Smith
Intro. 230
Res. 185
27-0
- 23-0167 Accepting Funding from New York State Office of Children and Family Services for Youth Sports and Education Opportunity Funding
Humans Services Committee; May 23, 2023 – CV: 9-0
Ways and Means Committee; May 23, 2023 – CV: 11-0
36. Dondorfer & Smith
Intro. 231
Res. 186
27-0
- 23-0168 Amending Resolution 361 of 2022 Accepting Additional Funding from New York State Stop-DWI Foundation, Inc. for DWI High Visibility Engagement Campaign Enforcement and Amending and Increasing Agreements with Five Municipalities
Public Safety Committee; May 23, 2023 – CV: 8-0
Ways and Means Committee; May 23, 2023 – CV: 11-0
37. Brew & Smith
Intro. 232
Res. 187
27-0
- 23-0169 Accepting Grant from New York State Office of Mental Health for PFC Dwyer Veteran Peer-to-Peer Support Program
Humans Services Committee; May 23, 2023 – CV: 9-0
Ways and Means Committee; May 23, 2023 – CV: 11-0
38. Dondorfer & Smith
Intro. 233
Res. 188
27-0
- 23-0170 Authorizing Monroe County Sheriff's Office to Accept Donation of Percheron Thoroughbred Cross Named "Kallie" from Owners Bruce and Katie Ferguson for Monroe County Sheriff's Mounted Unit
Public Safety Committee; May 23, 2023 – CV: 8-0
Ways and Means Committee; May 23, 2023 – CV: 11-0
39. Smith & Delehanty
Intro. 234
Res. 189
27-0
- 23-0172 Authorizing Contract with Brown & Brown of New York, Inc. to Act as Insurance Broken of Record for County of Monroe
Ways and Means Committee; May 23, 2023 – CV: 11-0
41. Allkofer & Smith
Intro. 235
Res. 190
27-0
- 23-0174 Authorizing Contract with Vendors for 2023 Community Festival Support and Revising Definition of Mid-Sized Arts Organizations in the 2023 Monroe County Budget
Recreation and Education Committee; May 22, 2023 – CV: 5-0
Ways and Means Committee; May 23, 2023 – CV: 11-0
45. Smith & Delehanty
Intro. 236
Res. 191
27-0
- 23-0178 Mortgage Tax Distribution
Ways and Means Committee; May 23, 2023 – CV: 11-0

46. Allkofer & Smith
Intro. 237
Res. 192
27-0
- 23-0179 Authorizing License Agreement with Deaf Events Among Families Circle, Inc. for 2023 KODA + Deaf Day Camp
Recreation and Education Committee; May 22, 2023 – CV: 5-0
Ways and Means Committee; May 23, 2023 – CV: 11-0
47. Smith & Delehanty
Intro. 238
Res. 193
27-0
- 23-0180 Amending Resolution 342 of 2022 Authorizing Grant Contracts and Appropriation Transfers Pursuant American Rescue Plan Act (ARPA)
Ways and Means Committee; May 23, 2023 – CV: 11-0
22. DiFlorio & Smith
Intro. 239
Res. 194
27-0
- 23-0157 Approving 2023 Annual Action Plan for Housing and Community Development in Suburban Monroe County and Grant Submission to U.S. Department of Housing and Urban Development
Planning and Economic Development; May 22, 2023 – CV: 5-0
Ways and Means Committee; May 23, 2023 – CV: 11-0
31. Dondorfer & Milne
Intro. 240
- 23-0165 Approving and Adopting Updated 2023 Monroe County Hazard Mitigation Plan
Public Safety Committee; May 23, 2023 – CV: 8-0
(For Introductory Purposes Only)
32. Dondorfer & Milne
Intro. 241
M. 41
27-0
- 23-0165 Providing that Resolution (Intro. No. 240 of 2023), Entitled “Approving and Adopting Updated 2023 Monroe County Hazard Mitigation Plan,” Be Tabled
33. Dondorfer & Milne
Intro. 242
Res. 195
27-0
- 23-0165 Fixing a Public Hearing on Resolution (Intro. No. 240 of 2023), Entitled “Approving and Adopting Updated 2023 Monroe County Hazard Mitigation Plan”
(Public Hearing is Scheduled for Tuesday, July 11, 2023 at 6:17 P.M.)
40. Smith & Delehanty
Intro. 243
Res. 196
27-0
- 23-0173 Appropriating Fund Balance to Establish Research Strategy and Development Team within Department of Finance and Authorizing Creation of Ten New Positions
Ways and Means Committee; May 23, 2023 – CV: 11-0
42. Smith & McCabe
Baynes
Delehanty
Intro. 244
Res. 197
27-0
- 23-0175 Committing Unassigned Fund Balance for Specific Purpose of Funding Town Incentives to Install Sidewalks on County Roads
Ways and Means Committee; May 23, 2023 – CV: 11-0
Environment and Public Works Committee; May 22, 2023 – CV: 7-0

(Note: Legislator Veccho Entered the Chambers at 7:44 P.M. and was Present for the Remainder of the Meeting.)

43. Dondorfer & Smith
Intro. 245
- 23-0176 Amending the 2023 Operating Budget of Office of the Sheriff to Provide Adequate Staffing for Police Bureau and Establishing Regional Investigative Operations Center by Appropriating Unassigned Fund Balance, Amending 2023 Capital Budget Increasing Funding for Project Entitled “Sheriff’s Vehicle Replacement,” Authorizing Creation of Forty-Three Sworn and Civilian Positions, and Authorizing Interfund Transfer
Public Safety Committee; May 23, 2023 – CV: 8-0
Ways and Means Committee; May 23, 2023 – CV: 11-0
- Intro. 246
M. 42
- Hughes-Smith & Delvecchio Hoffman
Motion to Table Intro. No. 245 of 2023

- 7-20 *(Legislators Roman, Barnhart, Blankley, Delvecchio Hoffman, Hasman, Hughes-Smith and Vazquez Simmons Voted in the Positive.)*
- Intro. 247
M. 43
19-9
Intro. 245
Res. 198
23-5
- Colby & McCabe *(Motion to Call Question)*
PROVIDING THAT THE QUESTION BE CALLED
Be It Moved that the question be, and hereby is called on Intro. No. 245 of 2023.
(Legislators Roman, Blankley, Delvecchio Hoffman, Frazier, Hasman, Hughes-Smith, Long, Vazquez Simmons and Vecchio Voted in the Negative.)
- Main Motion
(Legislators Blankley, Delvecchio-Hoffman, Hasman, Hughes-Smith and Vecchio Voted in the Negative.)
44. Dondorfer & Smith
Intro. 248
Res. 199
24-4
23-0177
Authorizing Grant Contracts and Appropriation Transfers Pursuant the American Rescue Plan Act (ARPA)
Public Safety Committee; May 23, 2023 – CV: 8-0
Ways and Means Committee; May 23, 2023 – CV: 11-0
(Legislators Roman, Delvecchio-Hoffman, Frazier, Vazquez-Simmons Voted in the negative)
- Intro. 249
M. 44
Burgess, Roman & Vazquez Simmons *(Amendment)*
Motion to Amend Intro. No. 248 of 2023
- Be It Moved, that Intro. No. 248 of 2023, be amended as follows:
- The specific legislative actions required are:
- Section 1. Authorize the County Executive, or his designee, to execute grant contracts, and any amendments thereto, with the agencies listed in Attachment A in a total amount not to exceed ~~\$6,205,424~~ \$6,516,900.93 for terms to commence on or after May 1, 2023 and terminate on or before December 31, 2026.
- Section 2. An appropriation transfer is hereby authorized in the amount of ~~\$4,000,000~~ \$4,311,479.93 from the Monroe County Legislature, general fund 9301, funds center 1001030000, Local Recovery Fund to the Department of Finance, general fund 9301, funds center I 403930103, ARPA-Public Safety.
- OUT OF ORDER
- Intro. 250
M. 45
14-14F
Intro. 248
Res. 199
24-4
- Roman & Vazquez Simmons
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 MEETING ON JUNE 13, 2023
- (Legislator Roman, Barnhart, Baynes, Blankley, Burgess, Delvecchio Hoffman, Frazier, Hasman, Hughes-Smith, Long, Maffucci, Vazquez Simmons, Vecchio and Yudelson Voted in the Positive.)*
- Main Motion
(Legislators Roman, Delvecchio Hoffman, Frazier and Vazquez Simmons Voted in the Negative.)
48. Morris & Smith
Intro. 251
Res. 200
28-0
23-0182
Amending Resolution 113 of 2023 Amending the 2023 Capital Budget Increasing Funding for Project Entitled “Milling/Resurfacing/Recycling,” and Authorizing Interfund Transfer for 2023 Highway Maintenance Project in Towns of Brighton and Greece
Matter of Urgency

49. Dondorfer & Smith
McCabe
Milne
Intro. 252
Res. 201
28-0
- 23-0183.br Resolution Authorizing the Issuance of \$1,360,000 Bonds of the County of Monroe, New York, to Finance the Cost of the Purchase of a Hazardous Material Fire Truck, in and for Said County, at an Estimated Maximum Cost of \$1,360,000 and Superseding the Bond Resolution Adopted on January 10, 2023 (Resolution No. 23 of 2023)
Matter of Urgency

UNFINISHED BUSINESS

None

Upon Motion by Legislator Brew, the Legislature Adjourned at 8:38 P.M. until **Tuesday, July 11, 2023 at 6:00 P.M.**

David Grant
Clerk of the Legislature