

TENTH DAY

TUESDAY, MAY 26, 2020

Legislature met pursuant to Special Meeting Notice

President Dr. Joe Carbone in the Chair.

ROLL CALL

Present – Legislators Allkofer*, Ancello*, Barnhart*, Bauroth*, Baynes*, Boyce*, Brew*, Carbone, Delehanty*, DiFlorio*, Dondorfer*, Felder*, Flagler-Mitchell*, Hasman*, Hebert*, Keophetlasy*, LaMar*, Lee*, Maffucci*, Marianetti*, Morelle, Jr.*, Smith*, Taylor*, Terp*, Wilcox*, Wilt*, Yudelson*, Zale* – 28

Absent – Legislator Roman – 1

* Legislator Participated in the Meeting via Teleconference in Accordance with Executive Order 202.1, issued by Governor Andrew M. Cuomo on March 12, 2020.

SUSPENSION OF THE RULES

Intro. 226
M. 51
28-0

Brew & Zale
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 SPECIAL MEETING ON MAY 26, 2020

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 Special Meeting in favor of video viewing or listening to, and recording and later transcription of such proceeding.

The meeting formally opened. President Carbone requested a moment of silent prayer. The Pledge of Allegiance to the Flag was led by Legislator Joshua Bauroth.

ANNOUNCEMENT

President Carbone stated that the sole purpose of this meeting, pursuant to Section C2-9C (1) of the County Charter and Section 545-5 of the Rules of the Legislature of the County of Monroe, was to consider the items listed on the official meeting notice. The Clerk of the Legislature gave notification of this special meeting to legislators and the media pursuant to Rule 545-5 of the Rules of the Monroe County Legislature. President Carbone stated the meeting has been closed to the public and all Legislators are participating via video or teleconference in accordance with Executive Order 202.1. President Carbone also noted that keeping with the Legislature's tradition of openness, the meeting is being live-streamed on YouTube through the Legislature's official channel.

President Carbone noted that following the conclusion of consideration on the two (2) Matters of Urgency, the Legislature will consider a motion to recess the Special Meeting and convene a Committee of the Whole. In doing so, the Legislature will discharge those items currently referred to Committee and commit them to the Committee of the Whole.

PETITIONS AND COMMUNICATIONS

From the President of the Legislature – DR. JOE CARBONE

Regarding Calling a Special Meeting of the Legislature.

Read and Print. (File No. 20-0196)

May 26, 2020

Mr. Jack Moffitt, Clerk
Monroe County Legislature
407 County Office Building
Rochester, New York 14614

RE: Special Meeting of the Monroe County Legislature

Dear Mr. Moffitt:

Pursuant to the authority vested in me as President of the Legislature by Section C2-9C (1) of the County Charter and Section 545-5 of the Rules of the Monroe County Legislature, I hereby direct you to call a Special Meeting of the Legislature for Tuesday, May 26, 2020 at 5:30 p.m. in the Chambers of the Legislature, 406 County Office Building.

The business to be conducted at the special meeting will be the following:

Providing that Rules of the Monroe County Legislature be Suspended and Modified for the Special Meeting on May 26, 2020;

Authorizing Contract with Quest Diagnostics Incorporated to Provide Employees and Contractors of Monroe Community Hospital with COVID-19 Testing to Comply with New York State's Governor's Executive Order 202.30 as it Relates to the COVID-19 State of Emergency;

Creating Six (6) New Positions in Monroe County Board of Elections and Amending 2020 Operating Budget;

Providing that File Nos. 20-0177 through 20-0195 be Discharged from the Public Safety, Recreation and Education, Planning and Economic Development, Human Services, Transportation, Intergovernmental Relations, Environment and Public Works, and Ways and Means Committees; Providing that the Legislature Convene a Committee of the Whole; Providing that File Nos. 20-0177 through 20-0195 be Committed to the Committee of the Whole.

Please give notice of this Special Meeting of the County Legislature to the members of the Legislature in accordance with the provisions of Section C2-9C (2) of the County Charter. Thank you for your assistance.

Sincerely,
Dr. Joe Carbone
Monroe County Legislature
President

OTHER COUNTY OFFICIALS

Jack Moffitt, Clerk of the Legislature – Regarding Calling a Special Meeting of the Monroe County Legislature.

Read and Print. (File No. 20-0197)

May 26, 2020

The Honorable
Monroe County Legislature
39 West Main Street
Rochester, NY 14614

Re: REVISED Special Meeting of the Monroe County Legislature

Honorable Legislators:

At the direction of Dr. Joe Carbone, President of the Monroe County Legislature, a Special Meeting of the Monroe County Legislature is hereby called pursuant to Section C2-9(C)(1) of the Monroe County Charter and Section 545-5 of the Rules of the Legislature for Tuesday, May 26, 2020 at 5:30 p.m. in the Chambers of the Legislature, 406 County Office Building.

The business to be conducted at the special meeting will be the following:

Providing that Rules of the Monroe County Legislature be Suspended and Modified for the Special Meeting on May 26, 2020;

Authorizing Contract with Quest Diagnostics Incorporated to Provide Employees and Contractors of Monroe Community Hospital with COVID-19 Testing to Comply with New York State's Governor's Executive Order 202.30 as it Relates to the COVID-19 State of Emergency;

Creating Six (6) New Positions in Monroe County Board of Elections and Amending 2020 Operating Budget;

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Sincerely,
Jack Moffitt
Clerk of the Legislature

PUBLIC FORUM

An Open Forum was conducted. No speakers addressed the Legislature.

MOTIONS, RESOLUTIONS AND NOTICES

Matters of Urgency

- | | | |
|---|---------|--|
| 1. Delehanty & Hebert
Intro. 227
Res. 168
28-0 | 20-0198 | Authorizing Contract with Quest Diagnostics Incorporated to Provide Employees and Contractors of Monroe Community Hospital with COVID-19 Testing to Comply with New York State's Governor's Executive Order 202.30 as it Relates to the COVID-19 State of Emergency
Matter of Urgency |
| 2. Delehanty & Hebert
Intro. 228 | 20-0199 | Creating Six (6) New Positions in Monroe County Board of Elections and Amending 2020 Operating Budget
Matter of Urgency |

Intro. 229 Baynes/Barnhart (*Motion to Table #1*)
M. 52 PROVIDING THAT INTRO. NO. 228 OF 2020 BE TABLED
Be It Moved, that Intro. No. 228 of 2020 be, and hereby is, tabled.
8-20 F (*Legislators Barnhart, Bauroth, Baynes, Hasman, Maffucci, Morelle, Jr., Wilcox, and Yudelson Voted in the Positive.*)

Intro. 230 Wilcox/Baynes (*Motion to Table #2*)
M. 53 PROVIDING THAT INTRO. NO. 228 OF 2020 BE TABLED
Be It Moved, that Intro. No. 228 of 2020 be, and hereby is, tabled.
8-20 F (*Legislators Barnhart, Bauroth, Baynes, Hasman, Maffucci, Morelle, Jr., Wilcox, and Yudelson Voted in the Positive.*)

Intro. 228 Main Motion
Res. 169
28-8 (*Legislators Barnhart, Bauroth, Baynes, Hasman, Maffucci, Morelle, Jr., Wilcox, and Yudelson Voted in the Negative.*)

Vetoed by County Executive Adam J. Bello on June 3, 2020 (*Read and Print File No. 20-0200*).

Note: This resolution shall be effective immediately pursuant to the adoption of **Motion No. 57 of 2020**, entitled “Providing that the Veto by the County Executive of Resolution No. 169 of 2020 be Overridden,” on June 4, 2020 by the following vote:

Ayes - Legislators, Brew, Felder, Allkofer, Ancello, Boyce, Delehanty, DiFlorio, Dondorfer, Flagler-Mitchell, Hebert, Keophetlasy, LaMar, Lee, Marianetti, Smith, Taylor, Terp, Wilt, Zale, and President Carbone – 20

Nays - Legislators Barnhart, Bauroth, Baynes, Hasman, Maffucci, Morelle, Roman, Wilcox, and Yudelson – 9

3. Brew & Hebert
Intro. 231
M. 54
28-0
Providing that File Nos. 20-0177 through 20-0195 be Discharged from the Public Safety, Recreation and Education, Planning and Economic Development, Human Services, Transportation, Intergovernmental Relations, Environment and Public Works, and Ways and Means Committees; Providing that the Legislature Convene a Committee of the Whole; Providing that File Nos. 20-0177 through 20-0195 be Committed to the Committee of the Whole

RECESS

A recess was declared by President Carbone to allow for a meeting of the **Committee of the Whole**.

RECONVENING LEGISLATURE

President Carbone reconvened the recessed special meeting of May 26, 2020 and proceeded under the Usual Order of Business.

UNFINISHED BUSINESS

None

Upon Motion by Legislator Brew, the Legislature Adjourned at 7:56 P.M. until **Tuesday, June 9, 2020 at 6:00 P.M.**

JACK MOFFITT
Clerk of the Legislature