

TWELTH DAY

TUESDAY, SEPTEMBER 13, 2022

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, Keller, LaMar, Long, Maffucci, Marianetti, McCabe, Milne, Roman, Smith, Taylor, Vazquez Simmons, Vecchio, Yudelson – 29

MOMENT OF PRAYER

The meeting formally opened. A Moment of Silent Prayer was led by President Sabrina LaMar

APPROVAL OF MINUTES

Without objection, the Journal of Day 10 August 9, 2022 was approved as submitted.

PETITIONS AND COMMUNICATIONS

None

PROCLAMATIONS

By the President of the Legislature – Sabrina LaMar

Recognized jointly with President Sabrina LaMar, Legislator Tracy DiFlorio, Proudly Honor the efforts of James Payne for his efforts of helping his Community and Society through the American Society for Clinical Laboratory Science

Read and Filed

FORMAL COMMITTEE REPORTS

None

PUBLIC FORUM

An Open Forum was conducted to allow speakers to address the Legislature. There were 36 speakers and the Open Forum concluded at 8:17 P.M.

Note: Legislators Roman and Vecchio Exited the Chambers

RECESS

President LaMar declared a brief recess.

CONSIDERATION OF LOCAL LAWS

1. Brew & Delehanty Intro. 291 22-0312.LL Local Law Entitled, “Amending Monroe County Charter and Administrative Code Relating to the Legislative District Boundaries and the Term of Office of Members of the County Legislature”
Matter of Urgency
2. Brew & Delehanty Intro. 292 M.40 26-1 22-0312.LL Providing that Local Law (Intro. No. 292 of 2022), Entitled “Amending Monroe County Charter and Administrative Code Relating to Legislative District Boundaries and Term of Members of County Legislature”, Be Tabled
(Legislator Baynes Voted in the Negative.)

Note: Legislators Roman and Vecchio Reentered the Chambers and were Present for the Remainder of the Evening

3. Brew & Delehanty Intro. 293 Res. 243 16-13 22-0312.LL Fixing a Public Hearing on Local Law (Intro. No. 293 of 2022) Entitled “Amending Monroe County Charter and Administrative Code Relating to Legislative District Boundaries and Term of Members of County Legislature”
(Legislators Roman, Baynes, Blankley, Burgess, Delvecchio-Hoffman, Frazier, Hasman, Hughes-Smith, Long, Maffucci, Vazquez Simmons, Vecchio and Yudelson Voted in the Negative.)
- Brew & Marianetti Intro. 294 M. 41 29-0 Motion to Move Agenda as a Whole Except Item Nos. 4, 5, 11, 17, 26, 38, and 39

MOTIONS, RESOLUTIONS AND NOTICES

6. McCabe & Johns Intro. 295 Res. 244 29-0 22-0256 Classification of Action and Determination of Significance Pursuant to State Environmental Quality Review Act for Sale of County Owned Tax Foreclosure Property Located at 58 Laurelhurst Road in Town of Greece
Environment and Public Works Committee; August 23, 2022 – CV: 7-0
7. Delehanty & Marianetti Intro. 296 Res. 245 29-0 22-0257 Authorizing Sale of County Owned Property Located at 58 Laurelhurst Road in Town of Greece
Ways and Means Committee; August 23, 2022 – CV: 10-0

8. McCabe & Johns
Intro. 297
Res. 246
29-0
22-0258 Classification of Action and Determination of Significance Pursuant to State Environmental Quality Review Act for Sale of County Owned Tax Foreclosure Property Located at 75 Capen Road in Town of Sweden
Environment and Public Works Committee; August 23, 2022 – CV: 7-0
9. Delehanty & Marainetti
Intro. 298
Res. 247
29-0
22-0259 Authorizing Sale of County Owned Property Located at 75 Capen Road in Town of Sweden
Ways and Means Committee; August 23, 2022 – CV: 10-0
10. DiFlorio & Dondorfer
Intro. 299
Res. 248
29-0
22-0260 Accepting Grant from New York State Department of Agriculture and Markets for Updating Monroe County’s Agriculture and Farmland Protection Plan
Planning and Economic Development Committee; August 22, 2022 – CV: 4-0
Ways and Means Committee; August 23, 2022 – CV: 10-0
12. Milne & Delehanty
Intro. 300
Res. 249
29-0
22-0262 Authorizing Contract with St. John Fisher University Wegmans School of Pharmacy for Support of Public Health Pharmacy Fellowship Program at Monroe County Department of Public Health
Human Services Committee; August 23, 2022 – CV: 8-0
Ways and Means Committee; August 23, 2022 – CV: 10-0
13. Milne & Delehanty
Intro. 301
Res. 250
29-0
22-0263 Accepting Grant from New York State Department of Health for Beach Monitoring and Notification Program F/K/A Beach Act Program
Human Services Committee; August 23, 2022 – CV: 8-0
Ways and Means Committee; August 23, 2022 – CV: 10-0
14. Milne & Delehanty
Intro. 302
Res. 251
29-0
22-0264 Accepting Grant from Health Research, Inc. for Overdose Data to Action Program
Human Services Committee; August 23, 2022 – CV: 8-0
Ways and Means Committee; August 23, 2022 – CV: 10-0
15. Dondorfer & Delehanty
Intro. 303
Res. 252
29-0
22-0265 Accepting Grant from United States Department of Justice, Office of Justice Programs, for 2021 DNA Capacity Enhancement Program
Public Safety Committee; August 23, 2022 – CV: 7-0
Ways and Means Committee; August 23, 2022 – CV: 10-0
16. McCabe & Delehanty
Intro. 304
Res. 253
29-0
22-0266 Authorizing Contract with Christa Construction, LLC For Construction Management Services for Frontier Field Seating & Caulking Project and Facility & Patron Improvements Project
Environment and Public Works Committee; August 23, 2022 – CV: 7-0
Ways and Means Committee; August 23, 2022 – CV: 10-0
18. Hebert & Delehanty
Dondorfer
Intro. 305
Res. 254
29-0
22-0268 Authorizing Intermunicipal Agreement with City of Rochester Permitting Rochester Police Department to Utilize Monroe County Sheriff’s Office’s Explosives Storage Bunker Located at 145 Paul Road in Town of Chili to House its Explosives and Explosives Evidence
Intergovernmental Relations Committee; August 23, 2022 – CV: 4-0
Public Safety Committee; August 23, 2022 – CV: 7-0
Ways and Means Committee; August 23, 2022 – CV: 10-0
19. McCabe & Johns
22-0269 Classification of Action and Determination of Significance Pursuant to State Environmental Quality Review Act for Construction of Playgrounds at Powder Mills

- Intro. 306
Res. 255
29-0
- Park and Ontario Beach Park
Environment and Public Works Committee; August 23, 2022 – CV: 7-0
20. McCabe & Johns
Intro. 307
Res. 256
29-0
- 22-0270 Classification of Action, Designation of Intent to Serve as Lead Agency, and Determination of Significance Pursuant to State Environmental Quality Review Act for Creation of and ADA Accessible Canoe and Kayak Launch at Churchville Park
Environment and Public Works Committee; August 23, 2022 – CV: 7-0
21. McCabe & Johns
Intro. 308
Res. 257
29-0
- 22-0271 Classification of Action, Designation of Lead Agency, and Determination of Significance Pursuant to State Environmental Quality Review Act for Golf Course Improvements
Environment and Public Works Committee; August 23, 2022 – CV: 7-0
22. McCabe & Johns
Intro. 309
Res. 258
29-0
- 22-0272 Classification of Action and Determination of Significance Pursuant to State Environmental Quality Review Act for Underground Power and Data Utility Upgrades at Gary Beikirch Memorial Park
Environment and Public Works Committee; August 23, 2022 – CV: 7-0
23. McCabe & Johns
Intro. 310
Res. 259
29-0
- 22-0273 Classification of Action and Determination of Significance Pursuant to State Environmental Quality Review Act for Demolition and Replacement of Labor Center at Powder Mills Park
Environment and Public Works Committee; August 23, 2022 – CV: 7-0
24. McCabe & Johns
Intro. 311
Res. 260
29-0
- 22-0274 Classification of Action and Determination of Significance Pursuant to State Environmental Quality Review Act for Construction of Pickleball Courts at Black Creek Park and Mendon Ponds Park
Environment and Public Works Committee; August 23, 2022 – CV: 7-0
25. McCabe & Johns
Intro. 312
Res. 261
29-0
- 22-0275 Classification of Action and Determination of Significance Pursuant to State Environmental Quality Review Act for Construction of a Spray Park at Ontario Beach Park
Environment and Public Works Committee; August 23, 2022 – CV: 7-0
27. Milne & Delehanty
Intro. 313
Res. 262
29-0
- 22-0277 Amending Resolution 415 of 2021 Accepting Additional Funding from Children’s Bureau, an Office of the Administration for Children and Families, Through Subcontract with University of Maryland, Baltimore for Improving Systems and Implementing Interventions to Support Lasting Reunification of Families
Human Services Committee; August 23, 2022 – CV: 8-0
Ways and Means Committee; August 23, 2022 – CV: 10-0
28. Delehanty & Marianetti
Intro. 314
Res. 263
29-0
- 22-0278 Authorizing to Enter into Settlement Agreement in *Borgwarner Propulsion Systems LLC, F/K/A Delphi Powertrain Systems, LLC ET AL. v. County of Monroe Industrial Development Agency ET AL.* (Supreme Court, Monroe County Index No. E2021010427)
Ways and Means Committee; August 23, 2022 – CV: 10-0
29. Hebert & Delehanty
McCabe
Intro. 315
Res. 264
29-0
- 22-0281 Authorizing Intermunicipal Agreement with Town of Webster to Pursue Temporary Incidents of Ownership under Environmental Conservation Law § 56-0508
Intergovernmental Relations Committee; August 23, 2022 – CV: 4-0
Environment and Public Works Committee; August 23, 2022 – CV: 7-0
Ways and Means Committee; August 23, 2022 – CV: 10-0

30. Dondorfer & Delehanty
Intro. 316
Res. 265
29-0
- 22-0282 Authorizing Contract with Rochester Regional Health for Sheriff's Employees' Occupational Medical Services
Public Safety Committee; August 23, 2022 – CV: 7-0
Ways and Means Committee; August 23, 2022 – CV: 10-0
31. Johns & Brew
Intro. 317
Res. 266
29-0
- 22-0283 Amending Article II of the Rules of the Legislature of the County of Monroe to Allow for Hybrid Remote Meeting Attendance
Agenda Charter Committee; August 22, 2022 – CV: 5-0
32. Milne & Smith
Intro. 318
Res. 267
29-0
- 22-0307 Confirming Appointments and Reappointment to Monroe Community Hospital Advisory Board
Matter of Urgency
33. Keller & Colby
Intro. 319
Res. 268
29-0
- 22-0308 Confirming Appointments to Monroe County Traffic Safety Board
Matter of Urgency
34. Delehanty & Marianetti
Intro. 320
Res. 269
29-0
- 22-0309 Confirming Appointment to County of Monroe Industrial Development Agency
Matter of Urgency
35. Delehanty & Marianetti
Intro. 321
Res. 270
29-0
- 22-0310 Confirming Appointments to Diversity Action Plan Advisory Committee
Matter of Urgency
36. Delehanty & Marianetti
Intro. 322
Res. 271
29-0
- 22-0311 Amending Resolution 105 of 2022 as Amended by Resolution 184 of 2022 to Substitute the Correct Name for a Non-Profit Organization
Matter of Urgency
37. Delehanty & Marianetti
Intro. 323
Res. 272
29-0
- 22-0313 Renewal of the Noble Sister County Relationship between the County of Monroe, N.Y., USA and County Cavan, Ireland
Matter of Urgency
4. McCabe & Delehanty
Intro. 324
Res. 273
22-7
- 22-0227 Amending 2022-2027 Capital Improvement Program to Advance “Tropical Exhibit and Main Entry Plaza” Project from 2023 to 2022 and Retitling Project as “Tropical Exhibit and Main Entry Plaza, Phase 2”
Environment and Public Works Committee; August 22, 2022 – CV: 5-2
Ways and Means Committee; July 26, 2022 – CV: 10-0
(Legislators Dehevecchio Hoffman, DiFlorio, Hebert, Keller, McCabe, Milne and LaMar Voted in the Negative.)
5. McCabe & Delehanty
Intro. 325
Res. 274
- 22-0227.br Resolution Authorizing the Issuance of \$102,900,000 Bonds of the County of Monroe, New York, to Finance the Cost of Tropical Exhibit and Main Entry Plaza, Phase 2 Project, at the Seneca Park Zoo, in and for Said County, at an Estimated Maximum Cost of \$102,900,000

- 22-7 Environment and Public Works Committee; August 22, 2022 – CV: 5-2
Ways and Means Committee; July 26, 2022 – CV: 10-0
(Legislators Delvecchio Hoffman, DiFlorio, Hebert, Keller, McCabe, Milne and LaMar Voted in the Negative.)
11. Blankley & Baynes 22-0261 Confirming Reappointment of Commissioner of Public Health
Humans Services Committee; August 23, 2022 – CV: 8-0
Intro. 326 (Legislators Brew, Allkofer, Colby, DiFlorio, Hebert, Keller, McCabe and Vazquez Simmons
Res. 275 Voted in the Negative.)
21-8
17. Hughes-Smith & Johns 22-0267 Adopting Monroe County Climate Action Plan Phase 1
Environment & Public Works Committee; August 23, 2022 – CV: 5-2
Milne (Legislator McCabe Voted in the Negative.)
Yudelson
Roman
Intro. 327
Res. 276
28-1
26. McCabe & Delehanty 22-0276 Amending 2022-2027 Capital Improvement Program to Increase Scope and Funding
for Monroe County Parks System-Wide Facilities Renovations Project and Appropriate
Fund Balance for Interfund Transfer
Intro. 328 Environment & Public Works Committee; August 23, 2022 – CV: 7-0
Res. 277 Ways and Means Committee; August 23, 2022 – CV: 10-0
27-2 (Legislators Keller and McCabe Voted in the Negative.)
38. Delehanty & Marinetti 22-0314 Authorizing Various Budget Appropriations Transfers Related to 2022 Operating
Budget
Intro. 329 Matter of Urgency
Res. 278
29-0
39. Brew & Marinetti 22-0316 Appointment of Robert R. Fogg as Public Defender
Intro. 330 (For Introductory Purposes Only)
- Intro 331 22-0316 Baynes/Vazquez Simmons
M. 42 Motion to Amend Intro. 330 as follows:
Out of Order

APPOINTMENT OF ~~ROBERT R. FOGG~~ JULIE A. CIANCA AS PUBLIC DEFENDER

BE IT RESOLVED BY THE LEGISLATURE OF THE COUNTY OF MONROE, as follows:

Section 1. In accordance with the provisions of Article 18-A of the County Law of the State of New York and pursuant to Section C7-5 of the Monroe County Charter, ~~Mr. Robert R. Fogg~~ Ms. Julie A. Cianca, is hereby appointed as Public Defender, for a term expiring on December 31, 2023.

Section 2. This Resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

President LaMar ruled that Intro. No. 331 was **OUT OF ORDER**. Legislator Baynes **APPEALED THE RULING OF THE PRESIDENT** and Legislator Vazquez Simmons **SECONDED** the motion. A vote was taken and the Ruling of the President was **OVERRULED** by the following vote:

Ayes – Brew, Colby, Delehanty, Dondorfer, Johns, Keller, Marianetti, McCabe, Milne, Smith, Taylor, LaMar – 12

Nays - Legislators Roman, Allkofer, Barnhart, Baynes, Blankley, Burgess, Delvecchio Hoffman, DiFlorio, Frazier, Hasman,

Hebert, Hughes-Smith, Long, Maffucci, Vazquez Simmons, Vecchio, Yudelson – 10

Intro. 330
12-17F

Main Motion
(Legislators Brew, Colby, Delehanty, Dondorfer, Frazier, Johns, Keller, Marianetti, McCabe, Milne, Smith and Taylor voted in the Positive.)

UNFINISHED BUSINESS

None

Upon Motion by Legislator Brew, the Legislature Adjourned at 10:43 P.M. until **Tuesday, October 11, 2022 at 6:00 P.M.**

David Grant
Clerk of the Legislature