

**FOURTH DAY**

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**TUESDAY, APRIL 11, 2023**

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Legislature met pursuant to adjournment.

President LaMar in the Chair.

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**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\*, McCabe, Milne, Morris, Roman, Smith, Taylor, Vazquez Simmons, Yudelson – 28

Absent – Vecchio - 1

\* Legislator Participated in the Meeting via Teleconference.

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**MOMENT OF PRAYER**

The meeting formally opened. Reverend Eileen Casey-Campbell, Minister of the Unitarian Universalist Church of Canandaigua led a moment of prayer

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**APPROVAL OF MINUTES**

Without objection, the Journal of Day 3, March 14, 2023 was approved as submitted.

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**PETITIONS AND COMMUNICATIONS**

*None*

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**PROCLAMATION**

**By the President of the Legislature – Sabrina LaMar**

**Recognized by President Sabrina LaMar, Majority Leader Steve Brew, Legislator Jackie Smith, and Legislator Tracy DiFlorio honored Lauren Spiker and to Declare April Adolescent and Young Adult Cancer Awareness Month**

Read and Filed

**Recognized jointly with President Sabrina LaMar, County Executive Adam J. Bello, Legislator Richard Milne, Legislator Tracy DiFlorio, Legislator Dave Long, and James Payne to recognize and declare April 24-28, 2023 as Medical Laboratory Professionals Week and recognize all the help those professionals do to benefit our County and its Citizens**

Read and Filed.

**Recognized jointly by President Sabrina LaMar and by Legislator Mercedes Vazquez Simmons to Honor Elena Goldfeder for her Efforts to Monroe County's Community as a Teacher of Latin-American Literature and her efforts in community outreach programs, and as s Theater Producer**

Read and Filed

**Recognized jointly by President Sabrina LaMar and by Legislator Michael Yudelson and Legislator Rick Milne to honor Dave Moriarty for his faithful dedication to the Expansion of the Henrietta Recreational Department, Pioneer Programs, event coordination and as a coach in his community**

Read and Filed

**Recognized jointly by President Sabrina LaMar and by Legislator Mercedes Vazquez Simmons to honor Sister Marsha L. Allen for her faithful dedication to her community by founding Vineyard Farms, and her efforts in educating the community during the Covid-19 Pandemic to help people treat and protect themselves**

Read and Filed

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**RECESS**

A recess was declared by President LaMar to allow for a series of Public Hearings before the Legislature.

*"Amending the Code of Ethics of the County of Monroe"*

*"Amending Chapter 323 of the Monroe County Code"*

No speakers addressed the Legislature and the Public Hearings concluded at 6:28 p.m.

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**RECONVENING THE LEGISLATURE**

President LaMar reconvened the recessed meeting of April 11, 2023 and proceeded under the Usual Order of Business.

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**FORMAL COMMITTEE REPORTS**

*None*

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**PUBLIC FORUM**

An Open Forum was conducted to allow speakers to address the Legislature. There were three speakers and the Open Forum concluded at 6:38 P.M.

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## CONSIDERATION OF LOCAL LAWS

1. Barnhart & Johns  
Intro. 114  
M. 17  
28-0  
23-0007.LL Providing that Local Law (Intro. No. 70 of 2023), Entitled “Amending the Code of Ethics of the County of Monroe”, Be Lifted from the Table Agenda /Charter Committee; February 27, 2023 – CV: 5-0
  
2. Barnhart & Johns  
Intro. 115  
M. 18  
28-0  
Intro. 70  
LL #TBA  
28-0  
Main Motion  
23-0007.LL Providing that Local Law (Intro. No. 70 of 2023) Entitled “Amending the Code of Ethics of the County of Monroe” Be Adopted
  
3. Hasman & Blankley  
Intro. 116  
M. 19  
28-0  
23-0031.LL Providing that Local Law (Intro. No. 73 of 2023), Entitled “Amending Chapter 323 of the Monroe County Code”, Be Lifted from the Table Agenda /Charter Committee; February 27, 2023 – CV: 5-0
  
4. Hasman & Blankley  
Intro. 117  
M. 20  
Tabled  
Intro. 118  
M. 21  
28-0  
Hasman & Smith (*Amendment*)  
Motion to Amend Intro. No. 73 of 2023 as follows:  

B. No person shall use an electronic cigarette, as that term is defined in New York State Public Health Law § 1399-aa, within (1) one-hundred (100) feet of a county-operated lodge or shelter currently being rented and occupied within a park; or (2) one-hundred (100) feet of a county-operated playground, beach, aquatic area, concession area, garden, carousel, or zoo within a park. This provision shall not apply to County employees or employees contracted to work for the County within outdoor areas of a park that are: (1) not open to the public (e.g., park maintenance areas), and (2) designated by the County for such use.
  
- Intro. 119  
M. 22  
28-0  
Hasman & Smith  
Motion to Table Intro. No. 73 of 2023
  
- Intro. No. 73  
TABLED  
Main Motion
  
5. Johns & Dondorfer  
Smith  
Intro. 120  
23-0097.LL Enact a Local Law Entitled “Waiver of Residency Requirement for Monroe County Road Patrol Deputies”  
Agenda /Charter Committee; March 27, 2023 – CV: 5-0  
Public Safety Committee; March 28, 2023 – CV: 7-2  
Ways and Means Committee; March 28, 2023 – CV: 11-0  
(*For Introductory Purposes Only*)

6. Johns & Dondorfer Smith Intro. 121 M. 23 28-0 23-0097.LL Providing that Local Law (Intro. No. 120 of 2023) Entitled “Waiver of Residency Requirement for Monroe County Road Patrol Deputies”, Be Tabled
7. Johns & Dondorfer Smith Intro. 122 Res. 99 28-0 23-0097.LL Fixing a Public Hearing on Local Law (Intro. No. 120 of 2023) Entitled “Waiver of Residency Requirement for Monroe County Road Patrol Deputies” *(Public Hearing is Scheduled for Tuesday, May 9, 2023 at 6:15 P.M.)*
8. Hebert & Allkofer Keller Intro. 123 23-0100.LL Enacting Local Law Entitled “Expanded Veterans and Cold War Tax Exemption” *Matter of Urgency (For Introductory Purposes Only)*
9. Hebert & Allkofer Keller Intro. 124 M. 24 28-0 23-0100.LL Providing that Local Law (Intro. No. 123 of 2023) Entitled “Expanded Veterans and Cold War Veterans Tax Exemption”, Be Tabled
10. Hebert & Allkofer Keller Intro. 125 Res. 100 23-0100.LL Fixing a Public Hearing on Local Law (Intro. No. 123 of 2023) Entitled “Expanded Veterans and Cold War Veterans Tax Exemption” *(Public Hearing is Scheduled for Tuesday, May 9, 2023 at 6:16 P.M.)*
11. Dondorfer & Smith Baynes Johns Milne Intro. 126 23-0101.LL Enacting a Local Law Entitled “Expanded Volunteer Firefighter and EMS Tax Exemption” *Matter of Urgency (For Introductory Purposes Only)*
12. Dondorfer & Smith Intro. 127 M. 25 28-0 23-0101.LL Providing that Local Law (Intro. No. 126 of 2023) Entitled “Expanded Volunteer Firefighter and EMS Tax Exemption”, Be Tabled
13. Dondorfer & Smith Intro. 128 Res. 101 28-0 23-0101.LL Fixing a Public Hearing on Local Law (Intro. No. 126 of 2023) Entitled “Expanded Volunteer Firefighter and EMS Tax Exemption” *(Public Hearing is Scheduled for Tuesday, May 9, 2023 at 6:17 P.M.)*

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**MOTIONS, RESOLUTIONS AND NOTICES**

Brew &  
Roman  
Intro. 129

Motion to Move Agenda Items 14-40 as a Whole Except Items 24 and 30

- M. 26  
28-0
14. McCabe & Smith  
Intro. 130  
Res. 102  
28-0
- 23-0073 Accepting Grant from New York State Department of Environmental Conservation for Climate Smart Communities for Organics Management Plan  
Environment and Public Works Committee; March 27, 2023 – CV: 6-0  
Ways and Means Committee; March 28, 2023 – CV: 11-0
15. Allkofer & Smith  
Intro. 131  
Res. 103  
28-0
- 23-0074 Amending 2023 Capital Budget to Provide an Increase in Funding for Monroe County Library System Fleet Replacement Project and Authorizing Interfund Transfer  
Recreation and Education Committee; March 27, 2023 – CV: 5-0  
Ways and Means Committee; March 28, 2023 – CV: 11-0
16. McCabe & Smith  
Intro. 132  
Res. 104  
28-0
- 23-0075 Authorizing Entering into Grant Agreement with New York State for Aid Relating to Four (4) Projects at Frederick Douglass – Greater Rochester International Airport  
Environment and Public Works Committee; March 27, 2023 – CV: 6-0  
Ways and Means Committee; March 28, 2023 – CV: 11-0
17. Hebert & Smith  
Intro. 133  
Res. 105  
28-0
- 23-0076 Authorizing Intermunicipal Agreement with City of Rochester for Provision of County Historian Services  
Intergovernmental Relations Committee; March 27, 2023 – CV: 5-0  
Ways and Means Committee; March 28, 2023 – CV: 11-0
18. Hebert & Smith  
Dondorfer  
Intro. 134  
Res. 106  
28-0
- 23-0077 Authorizing Intermunicipal Agreement with Eight Municipalities for Use of Tyler Records Management System  
Intergovernmental Relations Committee; March 27, 2023 – CV: 5-0  
Public Safety Committee; March 28, 2023 – CV: 9-0  
Ways and Means Committee; March 28, 2023 – CV: 11-0
19. Allkofer & Smith  
Intro. 135  
Res. 107  
28-0
- 23-0078 Authorizing License Agreement with Monica Daniel Gil to Run Summer Camp Program at Ellison Park’s Pavilion Lodge  
Recreation and Education Committee; March 27, 2023 – CV: 5-0  
Ways and Means Committee; March 28, 2023 – CV: 11-0
20. Keller & Smith  
Intro. 136  
Res. 108  
28-0
- 23-0079 Amending Resolution 282 of 2021, as Amended by Resolution 330 of 2022 Accepting Additional Funding from United States Department of the Treasury for Emergency Rental Assistance 2 Program, Monroe County Eviction Prevention Pilot Initiative 2.0  
Human Services Committee; March 28, 2023 – CV: 9-0  
Ways and Means Committee; March 28, 2023 – CV: 11-0
21. Keller & Smith  
Intro. 137  
Res. 109  
28-0
- 23-0080 Amending Resolution 527 of 2021, as Amended by Resolution 47 of 2022, Amending and Increasing Contracts to Provide Nursing and Health Care Provider Services for Monroe County Department of Public Health  
Human Services Committee; March 28, 2023 – CV: 9-0  
Ways and Means Committee; March 28, 2023 – CV: 11-0
22. Keller & Smith  
Intro. 138  
Res. 110  
28-0
- 23-0081 Accepting Grant from New York State Office of Children and Family Services for Safe Harbor Initiative for 2023  
Human Services Committee; March 28, 2023 – CV: 9-0  
Ways and Means Committee; March 28, 2023 – CV: 11-0
23. Hebert & Smith
- 23-0082 Authorizing Intermunicipal Agreements with Municipalities for Rochester-Monroe County Youth Bureau Programs in 2023

	Keller Intro. 139 Res. 111 28-0	Intergovernmental Relations Committee; March 27, 2023 – CV: 5-0 Human Services Committee; March 28, 2023 – CV: 9-0 Ways and Means Committee; March 28, 2023 – CV: 11-0
25.	Keller & Smith Intro. 140 Res. 112 28-0	23-0084 Amending Resolution 395 of 2022 Authorizing Contract for Office for the Aging Programs in 2023-2024 Human Services Committee; March 28, 2023 – CV: 9-0 Ways and Means Committee; March 28, 2023 – CV: 11-0
26.	Morris & Smith Intro. 141 Res. 113 28-0	23-0085 Authorizing Contract with Keeler Construction Co., Inc. for Construction Services for 2023 Highway Maintenance Project in Towns of Brighton and Greece Transportation Committee; March 28, 2023 – CV: 7-0 Ways and Means Committee; March 28, 2023 – CV: 11-0
27.	Morris & Smith Intro. 142 Res. 114 28-0	23-0086.br Resolution Authorizing the Issuance of \$275,000 Bonds of the County of Monroe, New York, to Finance the Cost of Improvements to North Hamlin Road Bridge Over Sandy Creek in and for Said County, at an Estimated Maximum Cost of \$275,000 and Superseding the Bond Resolution Adopted on December 14, 2021 (Resolution No. 472 of 2021) Transportation Committee; March 28, 2023 – CV: 7-0 Ways and Means Committee; March 28, 2023 – CV: 11-0
28.	Morris & Smith Intro. 143 Res. 115 28-0	23-0087 Amending 2023-2028 Capital Improvement Program to Add Project Entitled “Traffic Signal Replacements – Group 1;” Authorizing Contract with Erdman Anthony and Associates, Inc. for Engineering Services; and New York State Department of Transportation for Traffic Signal Replacements-Group 1 Project in Town of Greece and City of Rochester Transportation Committee; March 28, 2023 – CV: 7-0 Ways and Means Committee; March 28, 2023 – CV: 11-0
29.	Morris & Smith Intro. 144 Res. 116 28-0	23-0087.br Resolution Authorizing the Issuance of \$280,000 Bonds of the County of Monroe, New York, to Finance the Cost of the Traffic Signal Replacements-Group 1, in and for Said Count, at an Estimated Maximum Cost of \$280,000 Transportation Committee; March 28, 2023 – CV: 7-0 Ways and Means Committee; March 28, 2023 – CV: 11-0
31.	Dondorfer & Smith Intro. 145 Res. 117 28-0	23-0089 Accepting Grant from New York State Division of Criminal Justice Services for Body Worn Camera Project Public Safety Committee; March 28, 2023 – CV: 9-0 Ways and Means Committee; March 28, 2023 – CV: 11-0
32.	Dondorfer & Smith Intro. 146 Res. 118 28-0	23-0090 Accepting Grant from United States Department of Justice, United States Marshals Service Western District of New York for United States Marshals Service NY/NJ Regional Fugitive Task Force-Rochester Division Public Safety Committee; March 28, 2023 – CV: 9-0 Ways and Means Committee; March 28, 2023 – CV: 11-0
33.	Dondorfer & Smith Intro. 147 Res. 119 28-0	23-0091 Authorizing Creation of Four New Positions in Public Defender’s Office as Part of Year 5 Funding of Statewide Expansion of Hurrell-Harring Project Grant Public Safety Committee; March 28, 2023 – CV: 9-0 Ways and Means Committee; March 28, 2023 – CV: 11-0
34.	Smith & Delehanty Intro. 148	23-0092 Directing Correction, Cancellation and Levy of Certain Monroe County Taxes in the Towns of Chili and Gates Ways and Means Committee; March 28, 2023 – CV: 11-0

- Res. 120  
28-0
35. Smith & Delehanty  
Intro. 149  
Res. 121  
28-0
- 23-0093 Directing the Refund of Certain Monroe County Taxes Levied and Collected Against Property in Town of Chili  
Ways and Means Committee; March 28, 2023 – CV: 11-0
36. Dondorfer & Smith  
Intro. 150  
Res. 122  
28-0
- 23-0094 Authorizing Contract with Squad 9 LLC for Rochester Threat Advisory Committee Program Management  
Public Safety Committee; March 28, 2023 – CV: 9-0  
Ways and Means Committee; March 28, 2023 – CV: 11-0
37. Smith & Delehanty  
Intro. 151  
Res. 123  
28-0
- 23-0095 Authorizing to Enter into Three Settlement Agreements in New York Coordinated Opioid Litigation (Supreme Court, Suffolk County Index No. 400000/2017)  
Ways and Means Committee; March 28, 2023 – CV: 11-0
38. Smith & Delehanty  
Intro. 152  
Res. 124  
28-0
- 23-0096 Confirmation of Appointment of Director of Office of Diversity, Equity and Inclusion- Chief Diversity Officer  
Ways and Means Committee; March 28, 2023 – CV: 11-0
39. Smith & Delehanty  
Intro. 153  
Res. 125  
28-0
- 23-0098 Amending 2023-2028 Capital Improvement Program and 2023 Capital Budget to Add Project Entitled “ERP System Replacement” and Authorizing Interfund Transfer  
Ways and Means Committee; March 28, 2023 – CV: 11-0
40. Smith & Delehanty  
Intro. 154  
Res. 126  
28-0
- 23-0099 Accepting Funds from New York State Office of the Attorney General in Connection with Opioid Settlement with Endo Health Solutions and its Affiliates  
Ways and Means Committee; March 28, 2023 – CV: 11-0
24. Keller & Smith  
Intro. 155  
Res. 127  
28-0
- 23-0083 Authorizing Contracts with Not-For-Profit Agencies for Rochester-Monroe County Youth Bureau Programs in 2023  
Human Services Committee; March 28, 2023 – CV: 8-0  
Ways and Means Committee; March 28, 2023 – CV: 11-0
30. Dondorfer & Smith  
Intro. 156  
Res. 128  
27-1
- 23-0088 Authorizing Federal Equitable Sharing Agreements with United States Department of Justice and United States Department of Treasury  
Public Safety Committee; March 28, 2023 – CV: 8-1  
Ways and Means Committee; March 28, 2023 – CV: 11-0  
*(Legislator DeVecchio Hoffman Voted in the Negative.)*
41. Dondorfer & Smith  
Johns  
Intro. 157  
Res. 129  
28-0
- 23-0102.s Requesting the Legislature of the State of New York Pursuant to Article IX of the Constitution to Enact into Law Senate Bill No. S.4135 Entitled “An Act to Amend the Retirement and Social Security Law, in Relation to the Retirement of Deputy Sheriffs- Civil in the County of Monroe”  
*Matter of Urgency*
42. Dondorfer & Johns
- 23-0103.a Requesting the Legislature of the State of New York Pursuant to Article IX of the Constitution to Enact Into Law Assembly Bill No. A.3589 Entitled “An Act to Amend

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| Smith<br>Intro. 158<br>Res. 130<br>28-0                              |           | the Retirement and Social Security Law, in Relation to the Retirement of Deputy Sheriffs-Civil in the County of Monroe”<br><i>Matter of Urgency</i>  |
| 43. Smith &<br>Delehanty<br>Intro. 159<br>Res. 131<br>28-0           | 23-0104.s | Requesting the Legislature of the State of New York Pursuant to Article IX of the Constitution to Enact Into Law Senate Bill No. S.6149 Entitled “An Act to Amend the Tax Law, in Relation to Extending the Authorization for the County of Monroe to Impose Certain Sales and Compensating Use Taxes”<br><i>Matter of Urgency</i>   |
| 44. Smith &<br>Delehanty<br>Intro. 160<br>Res. 132<br>28-0           | 23-0105.a | Requesting the Legislature of the State of New York Pursuant to Article IX of the Constitution to Enact Into Law Assembly Bill No. A.6142 Entitled “An Act to Amend the Tax Law, in Relation to Extending the Authorization for the County of Monroe to Impose Certain Sales and Compensating Use Taxes”<br><i>Matter of Urgency</i> |
| 45. Hebert &<br>Allkofer<br>Keller<br>Intro. 161<br>Res. 133<br>28-0 | 23-0106   | Authorizing Contract with Schram Enterprises for Provision of Consulting Services for Planning and Execution of Monroe County Veterans Day Parade<br><i>Matter of Urgency</i>  |
| 46. Smith &<br>Delehanty<br>Intro. 162<br>Res. 134<br>28-0           | 23-0107   | Young Citizens of Excellence and Willie W. Lightfoot Youth Advocate of the Year Recommendations<br><i>Matter of Urgency</i>  |
| 47. Brew &<br>Baynes<br>Intro. 163<br>Res. 135<br>23-5               | 23-0135   | Convening the Compensation Policy Commission<br><i>Matter of Urgency</i><br><br><i>(Legislators Blankley, Delehanty, Hughes-Smith, Long and Milne Voted in the Negative.)</i>  |

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**UNFINISHED BUSINESS**

*None*

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Upon Motion by Legislator Brew, the Legislature Adjourned at 7:09 P.M. until **Tuesday, May 9, 2023 at 6:00 P.M.**

**David Grant**  
Clerk of the Legislature