

EIGHTH DAY

TUESDAY, July 12, 2011

Legislature met pursuant to adjournment.

President Jeffrey R. Adair in the Chair.

ROLL CALL

Present — Legislators Adair, Andrews, Antelli, Barker, Bauroth, Beebe, Cassetti, Colby, Daniele, Drawe, Eckel, Esposito, Gamble, Haney, Hanna, Heider, Howland, Kaleh, Lee, Lightfoot, Maneiro, McCann, O'Brien, Quatro, Rockow, Tucciarello, Valerio, Yolevich— 28

Absent – Legislator Gumina - 1

Meeting formally opened. President Adair held a moment of silence. The Pledge of Allegiance to the Flag was led by Legislator John J. Howland.

APPROVAL OF MINUTES

Without objection, the journal of the session of Day Seven, June 14, 2011 was approved as submitted.

PETITIONS AND COMMUNICATIONS

NONE

President Adair recognized Mark Quinn, Horticulturist from the Parks Department, who introduced the Plant of the Month, the *Potentilla* to the Legislature.

PROCLAMATIONS AND PRESENTATIONS

By the President of the Legislature — Jeffrey R. Adair

Proclaimed Jointly with County Executive Maggie Brooks, “Americans with Disabilities Act” commending all those who have worked tirelessly, before and since, ensuring equal rights, equal opportunity and inclusion in all aspects of American life for individuals with physical and mental disabilities.

Read and Filed.

Recognized Jointly with Legislator Stephen Tucciarello, “Alicia Cabrera” for being chosen as a “Young Citizen of the Year” and offered her our most sincere congratulations.

Read and Filed.

Recognized Jointly with Legislators Michael G. Barker and Ciaran T. Hanna, “Bill Keeler” for his knowledge and service chronicling the history of the Town of Perinton and Village of Fairport.

Read and Filed.

Recognized Jointly with Legislators Richard A. Beebe and Rick Antelli, “Chuck Mitrano” for the indelible mark he has left on the sports world in the areas of sportsmanship and fair play.

Read and Filed.

Recognized Jointly with Legislator Travis Heider, “Town & Country Cleaners” for their dedication to sustainable business practices.

Read and Filed.

Recognized Jointly with Legislator Saul A. Maneiro, “Borinquen Dance Theater” for their dedication to dance and youth in Monroe County on the occasion of their 30th anniversary.

Read and Filed

RECESS

President Adair recessed the meeting to allow for three Public Hearings entitled...

“2012-2017 Capital Improvement Program” No speakers addressed the Legislature and the hearing concluded at 6:30 P.M.

“Amending Resolution 437 of 1989 to Amend Lease and Operating Agreement with Monroe County Airport Authority to Add the Property Commonly Known as 545 Ballantyne Road, Town of Chili, New York” No speakers addressed the Legislature and the hearing concluded at 6:31 P.M.

‘Amending Local Law No. 3 of 1997, Entitled “Local Law Authorizing Lease by Monroe County of 42 East Avenue, City of Rochester, For Appellate Division Court Facilities and Agreement with New York State Appellate Division – Fourth Department and Unified Court System” to Include 5,800 Sq. Ft. of Office Space Located at 45 East Avenue’ No speakers addressed the Legislature and the hearing concluded at 6:32 P.M.

RECONVENING LEGISLATURE

President Adair reconvened the recessed meeting of July 12, 2011 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. Three speakers addressed the Legislature and the Open Forum concluded at 6:43 P.M.

RECESS

A recess was declared by President Adair to allow for a meeting of the **Pure Waters Administrative Board**.

CONSIDERSATION OF LOCAL LAWS

- | | | |
|--|-----------|--|
| 1. Cassetti & Daniele
Intro. 259
M. 62
28-0 | 11-0162LL | Providing that Local Law (Intro. No. 256 of 2011), Entitled ‘Amending Local Law No. 3 of 1997, Entitled “Local Law Authorizing Lease by Monroe County of 42 East Avenue, City of Rochester, For Appellate Division Court Facilities and Agreement with New York State Appellate Division – Fourth Department and Unified Court System” to Include 5,800 Sq. Ft. of Office Space Located at 45 East Avenue,’ Be Lifted from the Table |
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2. Cassetti & Daniele
Intro. 260
M. 63
28-0
- 11-0162LL Providing that Local Law (Intro. No. 256 of 2011), Entitled ‘Amending Local Law No. 3 of 1997, Entitled “Local Law Authorizing Lease by Monroe County of 42 East Avenue, City of Rochester, For Appellate Division Court Facilities and Agreement with New York State Appellate Division – Fourth Department and Unified Court System” to Include 5,800 Sq. Ft. of Office Space Located at 45 East Avenue,’ Be Adopted
- Intro. 256
LL# TBA
28-0
- Main Motion

CONSIDERATION OF MOTIONS, RESOLUTIONS AND NOTICES

3. Howland, Hanna, Valerio, Antelli, Drawe, Cassetti, Colby & Daniele
Intro. 261
M. 64
28-0
- 11-0143 Providing that Resolution (Intro. No. 234 of 2011), “Adopting 2012-2017 Capital Improvement Program,” Be Lifted from the Table
4. Howland, Hanna, Valerio, Antelli, Drawe, Cassetti, Colby & Daniele
Intro. 262
M. 65
- 11-0143 Providing that Resolution (Intro. No. 234 of 2011), “Adopting 2012-2017 Capital Improvement Program,” Be Adopted
- Intro. 263
M. 66
13-15 F
- Haney/Beebe
Motion to Amend Intro. 234 of 2011 to read as follows:
To reduce the 2012 authorization for the “Planning and Feasibility” project appearing on page 11 of the Proposed 2012-2017 Capital Improvement Program from \$250,000 to \$0, as there remains a significant balance of authorized funding within the capital account 1539 already designated for this project.
(Legislators O’Brien, Andrews, Bauroth, Beebe, Eckel, Esposito, Gamble, Haney, Heider, Kaleh, Lee Lightfoot and Maneiro voted in the positive)

- Intro. 264
M. 67
13-15 F
- Haney/Kaleh
Motion to Amend Intro. 234 of 2011 to read as follows:
Section 1. To reduce the 2012 authorization for the “Exterior, Site and Utility Improvement” project for Monroe Community Hospital appearing on page 19 of the Proposed 2012-2017 Capital Improvement Program from \$200,000 to \$0, as there remains a significant balance of authorized funding within the capital account 1523 already designated for this project.
Section 2. To reduce the 2012 authorization for the “Interior Improvements” project for Monroe Community Hospital appearing on page 19 of the Proposed 2012-2017 Capital Improvement Program from \$550,000 to \$0, as there remains a significant balance of authorized funding within the capital account 1522 already designated for this project.
Section 3. To reduce the 2012 authorization for the “Equipment & Furnishing Replacements” project for Monroe Community Hospital appearing on page 19 of the Proposed 2012-2017 Capital Improvement Program from \$500,000 to \$0, as there remains a significant balance of authorized funding within the capital account 1521 already designated for this project.
(Legislators O’Brien, Andrews, Bauroth, Beebe, Eckel, Esposito, Gamble, Haney, Heider, Kaleh, Lee Lightfoot and Maneiro voted in the positive)
- Intro. 262
M. 65
28-0
- Be Adopted
- Intro. 234
Res 189
28-0
- Main Motion
- Intro. 265
M. 68
28-0
- Quatro/O’Brien
Move Agenda as a Whole
5. Cassetti & Daniele
Intro. 266
M. 69
28-0
- 11-0157
- Providing that Resolution (Intro. No. 250 of 2011), Entitled “Amending Resolution 437 of 1989 to Amend Lease and Operating Agreement with Monroe County Airport Authority to Add the Property Commonly Known as 545 Ballantyne Road, Town of Chili, New York,” Be Lifted from the Table
6. Cassetti & Daniele
Intro. 267
M. 70
28-0
- 11-0157
- Providing that Resolution (Intro. No. 250 of 2011), Entitled “Amending Resolution 437 of 1989 to Amend Lease and Operating Agreement with Monroe County Airport Authority to Add the Property Commonly Known as 545 Ballantyne Road, Town of Chili, New York,” Be Adopted
- Intro. 250
Res. 190
28-0
- Main Motion
7. Howland & Hanna
Intro. 268
- 11-0166
- Authorizing Additions to Monroe County Southwestern Agricultural District #2 Planning and Economic Development Committee; June 27, 2011, CV – 3-2
(For Introductory Purposes Only)
8. Howland & Hanna
Intro. 269
M. 71
28-0
- 11-0166
- Providing that Resolution (Intro. No. 268 of 2011), Entitled “Authorizing Additions to Monroe County Southwestern Agricultural District #2” be Tabled

9. Howland & Hanna
Intro. 270
Res. 191
28-0
11-0166 Fixing a Public Hearing By the Planning and Economic Development Committee of the Monroe County Legislature on Resolution (Intro. No. 268 of 2011), Entitled “Authorizing Additions to Monroe County Southwestern Agricultural District #2”
(Public Hearing is Scheduled for Monday, July 25, 2011 at 4:30p.m. before the Planning and Economic Development Committee)
10. Hanna & Daniele
Intro. 271
Res. 192
28-0
11-0167 Amending Resolution 3 of 2011 Accepting Funding from United States Department of Justice, United States Marshals Service Western District of New York, for the USMS NY/NJ Regional Fugitive Task Force-Rochester Division
Public Safety Committee; June 27, 2011, CV – 6-0
Ways and Means Committee; June 29, 2011, CV – 11-0
11. Hanna & Daniele
Intro. 272
Res. 193
28-0
11-0168 Accepting Grant from New York State Division of Criminal Justice Services for Felony Warrant Initiative
Public Safety Committee; June 27, 2011, CV – 6-0
Ways and Means Committee; June 29, 2011, CV – 11-0
12. Hanna & Daniele
Intro. 273
Res. 194
28-0
11-0169 Amending Resolution 45 of 2011 to Accept Additional Funding from New York State Division of Homeland Security and Emergency Services for Urban Area Security Initiative Program
Public Safety Committee; June 27, 2011, CV – 6-0
Ways and Means Committee; June 29, 2011, CV – 11-0
13. Hanna & Daniele
Intro. 274
Res. 195
28-0
11-0170 Accepting Grant from New York State Division of Criminal Justice Services for Supervision and Monitoring of Ignition Interlock Devices Program
Public Safety Committee; June 27, 2011, CV – 6-0
Ways and Means Committee; June 29, 2011, CV – 11-0
14. Hanna & Daniele
Intro. 275
Res. 196
28-0
11-0171 Accepting Grant from New York State Division of Criminal Justice Services for Juvenile Accountability Block Grant, Arts and Technology Program; Authorizing Contract with Kuumba Consultants
Public Safety Committee; June 28, 2011, CV – 6-0
Ways and Means Committee; June 29, 2011, CV – 11-0
15. Drawe & Daniele
Intro. 276
Res. 197
28-0
11-0172 Accepting Grant from New York State Department of Health for Drinking Water Enhancement Program
Human Services Committee; June 28, 2011, CV – 6-0
Ways and Means Committee; June 29, 2011, CV – 11-0
16. Cassetti & Daniele
Intro. 277
Res. 198
28-0
11-0173 Authorizing Contracts with Monroe County Water Authority and T-Y LIN International for Code Enforcement Services Related to West Side Water Supply Project
Environment and Public Works Committee; June 29, 2011, CV – 7-0
Ways and Means Committee; June 29, 2011, CV – 11-0
17. Cassetti & Daniele
Intro. 278
Res. 199
28-0
11-0174 Authorizing Contract with O’Brien & Gere Engineers, Inc. for Professional Engineering Services for Rochester Pure Waters District’s Frank E. VanLare Wastewater Treatment Plant Primary Tank Improvements Project
Environment and Public Works Committee; June 29, 2011, CV – 7-0
Ways and Means Committee; June 29, 2011, CV – 11-0
18. Colby & Daniele
Intro. 279
Res. 200
28-0
11-0176 Authorizing Contract with TransCore ITS, LLC for Software Maintenance Services to Support Monroe County Computerized Traffic Signal System
Transportation Committee; June 29, 2011, CV – 7-0
Ways and Means Committee; June 29, 2011, CV – 11-0

19. Colby & Daniele
Intro. 280
Res. 201
28-0
- 11-0177 Authorizing Contract with Keeler Construction Co., Inc., for Construction Services for Preventative Maintenance – Highways Program Project, Phase 1
Transportation Committee; June 29, 2011, CV – 7-0
Ways and Means Committee; June 29, 2011, CV – 11-0
20. Colby & Daniele
Intro. 281
Res. 202
28-0
- 11-0178 Authorizing Contract with Crane-Hogan Structural Systems, Inc., for Construction Services for Union Street Bridge at Black Creek Project, in Town of Chili
Transportation Committee; June 29, 2011, CV – 7-0
Ways and Means Committee; June 29, 2011, CV – 11-0
21. Daniele & Yolevich
Intro. 282
- 11-0179 Approving Sale by Negotiated Contract of Two Parcels of Land Owned by Cultural Center Commission to University of Rochester
(For Introductory Purposes Only)
22. Daniele & Yolevich
Intro. 283
M. 72
28-0
- 11-0179 Providing that Resolution (Intro. No. 282 of 2011), Entitled “Approving Sale by Negotiated Contract of Two Parcels of Land Owned by Cultural Center Commission to University of Rochester” Be Tabled
23. Daniele & Yolevich
Intro. 284
Res. 203
28-0
- 11-0179 Fixing a Public Hearing on Resolution (Intro. No. 282 of 2011), Entitled “Approving Sale by Negotiated Contract of Two Parcels of Land Owned by Cultural Center Commission to University of Rochester”
(Public Hearing is Scheduled for Tuesday, August 9, 2011 at 6:15p.m.)
24. Drawe & Daniele
Intro. 285
Res. 204
28-0
- 11-0182 Accepting Gift from and Authorizing Contracts with Greater Rochester Regional Health Information Organization for Exchange of Regional Health Information
Human Services Committee; June 28, 2011, CV – 6-0
Ways and Means Committee; June 29, 2011, CV – 11-0
25. Colby & Daniele
Intro. 286
Res. 205
28-0
- 11-0183 Authorizing Contract with Villager Construction, Inc. for Construction Services for Lyell Avenue Project in Village of Spencerport, Town of Ogden
Transportation Committee; June 29, 2011, CV – 7-0
Ways and Means Committee; June 29, 2011, CV – 11-0
26. Colby & Daniele
Intro. 287
Res. 206
28-0
- 11-0183br Resolution Authorizing the Issuance of \$3,100,000 Bonds of the County of Monroe, New York, to Finance the Cost of the Reconstruction of Lyell Avenue (from Union Street to Village Line), In and For Said County, At an Estimated Maximum Cost of \$3,100,000 and Superseding the Bond Resolution Adopted on May 7, 2004 (Resolution No. 162 of 2004)
- Matter of Urgency*
27. Valerio & Daniele
Intro. 288
- 11-0193 Approval of Monroe Community College’s 2011-2012 Operating Budget
(For Introductory Purposes Only)
28. Valerio & Daniele
Intro. 289
M. 73
28-0
- 11-0193 Providing that Resolution (Intro. No. 288 of 2011), Entitled “Approval of Monroe Community College’s 2011-2012 Operating Budget” Be Tabled

29. Valerio & 11-0193 Fixing a Public Hearing on Resolution (Intro. No. 288 of 2011), Entitled “Approval of
Daniele Monroe Community College’s 2011-2012 Operating Budget”
Intro. 290 *(Public Hearing is Scheduled for Wednesday, July 27, 2011 at 6:00 p.m. before the Joint Meeting of the*
Res. 207 *Recreation and Education and Ways and Means Committee)*
28-0

UNFINISHED BUSINESS

Upon Motion by Legislator E. Daniel Quatro, the Legislature adjourned at 7:07 p.m. until Tuesday, August 9, 2011 at 6:00 p.m.

CHERYL M. ROZZI
Clerk of the Legislature