

+NINTH DAY

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TUESDAY, August 9, 2011

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Legislature met pursuant to adjournment.

President Jeffrey R. Adair in the Chair.

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**ROLL CALL**

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

Absent —Tucciarello — 1

*Note: Legislator Tucciarello entered during the Moment of Silent Prayer and was present for the remainder of the meeting.*

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

*Legislator Tucciarello entered the chambers and was present for the remainder of the meeting.*

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**APPROVAL OF MINUTES**

Without objection, the journal of the session of Day Eight, July 12, 2011 was approved as submitted.

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**PETITIONS AND COMMUNICATIONS**

NONE

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President Adair recognized Larry Staub, Director of the Parks Department, who introduced the Plant of the Month, the *Calibrachoa* to the Legislature.

**PROCLAMATIONS AND PRESENTATIONS**

By the President of the Legislature — Jeffrey R. Adair

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**Recognized Jointly with Legislators Ted O'Brien and C. Stephen Eckel, "Bess Watts & Anne Tischer" for their dedication and hard work in helping to bring marriage equality to every citizen in New York State.**

Read and Filed.

**Recognized Jointly with Legislators Debbie Drawe and E. Daniel Quatro, "Connor Grossman" for his hard work with "Marbles for MS" and his efforts towards finding a cure for Multiple Sclerosis.**

Read and Filed.

**Recognized Jointly with Legislators Mark J. Cassetti, Rick Antelli and Jeffery L. McCann, "Gerald Phelan" for his service and dedication to the Town of Greece as founder of the Greece Police Athletic League, which has positively impacted the youth in our community.**

Read and Filed.

**Recognized Jointly with Legislator John J. Howland, “Henrietta Ambulance” on being named the “Agency of the Year” by the Monroe-Livingston Regional EMS Council and for receiving the Five Star Excellence Award.**  
Read and Filed.

**Recognized Jointly with Legislator Glenn J. Gamble, “Sniderman’s Hardware” for nearly 60 years of providing an exceptional services and expertise to a grateful community.**  
Read and Filed.

**Recognized Jointly with Legislator Paul Haney, “Fred Costello” for 35 years of entertainment and services to the Rochester community.**  
Read and Filed

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**RECESS**

President Adair recessed the meeting to allow for one Public Hearing entitled...

“Approving Sale by Negotiated Contract of Two Parcels of Land Owned by Cultural Center Commission to University of Rochester”  
No speakers addressed the Legislature and the hearing concluded at 6:30 P.M.

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**RECONVENING LEGISLATURE**

President Adair reconvened the recessed meeting of August 9, 2011 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. One speaker addressed the Legislature and the Open Forum concluded at 6:33 P.M.

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**CONSIDERATION OF MOTIONS, RESOLUTIONS AND NOTICES**

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| 1. Howland &<br>Hanna<br>Intro. 292<br>M. 74<br>29-0 | 11-0166 | Providing that Resolution (Intro. No. 268 of 2011), Entitled “Authorizing Additions to Monroe County Southwestern Agricultural District #2” Be Lifted from the Table |
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2. Howland & Hanna  
Intro. 293  
M. 75  
29-0  
  
Intro. 268  
Res. 209  
29-0  
11-0166 Providing that Resolution (Intro. No. 268 of 2011), Entitled “Authorizing Additions to Monroe County Southwestern Agricultural District #2” Be Adopted  
Planning and Economic Development Committee; June 27, 2011, CV – 3-2  
Planning and Economic Development Committee; July 25, 2011, CV – 4-0  
  
Main Motion
3. Daniele & Yolevich  
Intro. 294  
M. 76  
29-0  
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 Lifted from the Table
4. Daniele & Yolevich  
Intro. 295  
M. 77  
29-0  
  
Intro. 282  
Res. 210  
29-0  
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 Adopted  
Ways and Means Committee; June 29, 2011, CV – 11-0  
  
Main Motion
5. Valerio & Daniele  
Intro. 296  
M. 78  
29-0  
11-0193 Providing that Resolution (Intro. No. 288 of 2011), Entitled “Approval of Monroe Community College’s 2011-2012 Operating Budget” Be Lifted from the Table
6. Valerio & Daniele  
Intro. 297  
M. 79  
22-7  
  
Intro. 288  
Res. 211  
22-7  
11-0193 Providing that Resolution (Intro. No. 288 of 2011), Entitled “Approval of Monroe Community College’s 2011-2012 Operating Budget” Be Adopted  
Recreation and Education Committee; July 27, 2011, CV: 5-0  
Ways and Means Committee; July 27, 2011, CV: 7-2  
*(Legislators Andrews, Eckel, Gamble, Haney, Kaleh, Lee and Maneiro voted in the negative)*  
  
Main Motion  
  
*(Legislators Andrews, Eckel, Gamble, Haney, Kaleh, Lee and Maneiro voted in the negative)*
7. Drawe & Daniele  
Intro. 298  
Res. 212  
29-0  
11-0187 Accepting Grant from Society for Protection and Care of Children, Inc. for Monroe County Nurse-Family Partnership  
Human Services Committee; July 27, 2011, CV – 6-0  
Ways and Means Committee; July 27, 2011, CV – 9-0
8. Colby & Daniele  
Intro. 299  
Res. 213  
29-0  
11-0188 Authorizing Contract with New York State Department of Transportation  
Transportation Committee; July 27, 2011, CV – 5-4  
Ways and Means Committee; July 27, 2011, CV – 6-3
9. Colby & Daniele  
Intro. 300  
Res. 214  
29-0  
11-0188br. Resolution Authorizing the Issuance of \$1,240,000 Bonds of the County of Monroe, New York, to Finance the Cost of Upgrading, Expansion and Replacement of Existing Traffic Signal Facilities, at an Estimated Maximum Cost of \$1,115,000, and Existing Traffic Related Roadway Lighting Facilities, at an Estimated Maximum Cost of \$125,000, in Each Case in and for Said

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| 10. Colby &<br>Daniele<br>Intro. 301<br>Res. 215<br>29-0    | 11-0189 | Adoption of Determination and Findings, S. Lincoln Road Highway Improvement Project from Route 31F to Commercial Street, P.N. 4753.78, in Village of East Rochester and Town of Perinton<br>Transportation Committee; July 27, 2011, CV – 9-0<br>Ways and Means Committee; July 27, 2011, CV – 9-0                         |
| 11. Yolevich &<br>Daniele<br>Intro. 302<br>Res. 216<br>29-0 | 11-0190 | Authorizing Contract with Crane-Hogan Structural Systems, Inc. for Construction Services for the Edgemere Drive Bridge Over Round Pond Outlet Project in Town of Greece<br>Transportation Committee; July 27, 2011, CV – 9-0<br>Ways and Means Committee; July 27, 2011, CV – 9-0  |
| 12. Daniele &<br>Yolevich<br>Intro. 303<br>Res. 217<br>29-0 | 11-0191 | Authorize Contract with Catholic Family Center’s Employee Assistance Program of Rochester to Provide an Employee Assistance Program for Monroe County Employees<br>Ways and Means Committee; July 27, 2011, CV – 9-0   |
| 13. Daniele &<br>Yolevich<br>Intro. 304<br>Res. 218<br>29-0 | 11-0192 | Authorizing Contract with Health Economics Group, Inc. for Administration of Monroe County’s Self-Insured Employee/Retiree Dental Insurance Plan<br>Ways and Means Committee; July 27, 2011, CV – 9-0  |
| 14. Daniele &<br>Yolevich<br>Intro. 291<br>Res. 208<br>29-0 | 11-0194 | Extension of Additional One Percent Tax on Sales and Uses of Tangible Personal Property and of Certain Services, and on Occupancy of Hotel Rooms and Amusement Charges, Pursuant to Article 29 of the Tax Law of the State of New York; Amending Resolution No. 265 of 1965, as last amended by Resolution No. 201 Of 2009 |
| 15. Valerio &<br>Daniele<br>Intro. 305<br>Res. 219<br>29-0  | 11-0195 | Authorizing Contract with Keeler Construction Co., Inc. for Construction Services for King Road and Paul Road Preventative Maintenance Project in Town of Chili  |

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**UNFINISHED BUSINESS**

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Upon Motion by Legislator E. Daniel Quatro, the Legislature adjourned at 7:01 p.m. until Tuesday, September 13, 2011 at 6:00 p.m.

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**CHERYL M. ROZZI**  
Clerk of the Legislature