

EIGHTH DAY

TUESDAY, JULY 13, 2010

Legislature met pursuant to adjournment.

President Jeffrey R. Adair in the Chair.

ROLL CALL

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

Absent — Esposito – 1

Meeting formally opened. At the invitation of Legislator Debbie Drawe, Father James Schwartz of the St. Joe's Church of Rochester, delivered the invocation. The Pledge of Allegiance to the Flag was led by Legislator Michael G. Barker.

APPROVAL OF MINUTES

Without objection, the journal of the session of Day 7 of 2010, June 8, 2010 was approved as submitted.

President Adair introduced Mark Quinn from the Parks Department who spoke about the Black Eye Susan's as this month's flower of the month.

PETITIONS AND COMMUNICATIONS

PROCLAMATIONS

By the President of the Legislature — Jeffrey R. Adair

Proclaimed Jointly with County Executive Maggie Brooks "Members of the Monroe County/City of Rochester Council for People with Disabilities" celebrating the twentieth anniversary of the signing of the Americans with Disabilities Act.

Read and Filed.

Recognized Jointly with Legislators Michael G. Barker and Anthony Daniele "Dr. Donald Bain" for his devotion to preserving and nurturing the local Irish culture and education.

Read and Filed.

Recognized Jointly with Legislator Debbie Drawe "Bridgette Merriman" on being named a Golisano Children's Hospital "Miracle Kid" as well as raising money for medical supplies in Ethiopia.

Read and Filed.

Recognized Jointly with Legislators Anthony Daniele and Ciaran T. Hanna “The Pittsford Sutherland Varsity Baseball Team” on winning the Class A New York State Baseball Championship.

Read and Filed.

Recognized Jointly with Legislators Mary A. Valerio and Travis Heider “Jason Wasserman” for being inducted into the Rochester Jewish Community Center Sports Hall of Fame.

Read and Filed.

Recognized Jointly with Legislators Calvin Lee, Jr. and Glenn J. Gamble “Eagle Scout Raimond LeJulius Nichols” for his exceptional achievements and his dedication to community service.

Read and Filed.

Recognized Jointly with Legislators Willie J. Lightfoot and Carrie M. Andrews “Marlin Johnson” for his athletic success, and for his outstanding advocacy and dedication in the fight against breast cancer.

Read and Filed.

Recognized Jointly with Legislator Willie J. Lightfoot “Joseph E. Hall” for his commitment to the residents of the City of Rochester and for the tremendous contribution he has made to our community.

Read and Filed.

FORMAL COMMITTEE REPORTS

NONE

PUBLIC FORUM

An Open Forum was conducted to allow speakers to address the Legislature. Two speakers addressed the Legislature on various subjects and the Open Forum concluded at 6:52 P.M.

RECESS

President Adair recessed the meeting to allow for one Public Hearing entitled “Adopting 2011-2016 Capital Improvement Program”. No speakers addressed the Legislature and the hearing concluded at 6:48 P.M.

RECONVENING LEGISLATURE

President Adair reconvened the recessed meeting of July 13, 2010 and proceeded under the Usual Order of Business.

MOTIONS, RESOLUTIONS AND NOTICES

1. Howland, 10-0152 Providing That Resolution (Intro No. 168 Of 2010), Entitled “Adopting 2011-2016 Capital Improvement Program” Be Lifted From The Table
Hanna,
Valerio,
Antelli,
Drawe,
Cassetti,
Colby,
Daniele
Intro. 201
M. 30
28-0
2. Howland 10-0152 Providing That Resolution (Intro No. 168 Of 2010), Entitled “Adopting 2011-2016 Capital Improvement Program” Be Adopted
Hanna,
Valerio,
Antelli,
Drawe,
Cassetti,
Colby &
Daniele
Intro. 202
M. 31
28-0

Intro. 203
M. 32
12-16F

Intro. 204
M. 33
12-16F

Intro. 168
Res. 166
28-0
- Planning and Economic Development Committee; May 24, 2010 – CV: 5-0
Public Safety Committee; May 24, 2010 – CV: 7-0
Recreation and Education Committee; May 25, 2010 – CV: 5-0
Intergovernmental Relations Committee; May 25, 2010 – CV: 5-0
Human Services Committee; May 25, 2010 – CV: 7-0
Environment and Public Works Committee; May 26, 2010 – CV: 6-0
Transportation Committee; May 26, 2010 – CV: 6-0
Ways and Means Committee; May 26, 2010 – CV: 10-0
- Haney/O’Brien (Amendment #1)
Motion to Amend Intro. No. 168 of 2010 to read as follows:
- To reduce the 2011 appropriation for the “Planning and Feasibility” project appearing on page 13 of the Proposed 2011-2016 Capital Improvement Program from \$250,000 to \$0, as there remains a significant balance of authorized funding within the capital account 1457 already designated for this project.
- (Legislators Bronson, Andrews, Beebe, Eckel, Gamble, Haney, Heider, Kaleb, Lee, Lightfoot, Maneiro and O’Brien voted in the positive)*
- Haney/O’Brien (Amendment #2)
Motion to Amend Intro. No. 168 of 2010 to read as follows:
- To reduce the 2011 appropriation for the “Equipment/Furnishings/Resident Care” project for Monroe Community Hospital appearing on page 21 of the Proposed 2011-2016 Capital Improvement Program from \$350,000 to \$0, as there remains a significant balance of authorized funding within the capital account 1478 already designated for this project.
- (Legislators Bronson, Andrews, Beebe, Eckel, Gamble, Haney, Heider, Kaleb, Lee, Lightfoot, Maneiro and O’Brien voted in the positive)*
- Main Motion

3. Howland & Hanna
Intro. 205
10-0188 Authorizing Addition To Monroe County Southwestern Agricultural District #2
Planning and Economic Development Committee; June 28, 2010 – CV: 5-0
(For Introductory Purposes Only)
4. Howland & Hanna
Intro. 206
M. 34
28-0
10-0188 Providing That Resolution (Intro No. 205 Of 2010), Entitled “Authorizing An Addition
To Monroe County Southwestern Agricultural District #2” Be Tabled
5. Howland & Hanna
Intro. 207
Res. 167
28-0
10-0188 Fixing A Public Hearing By The Planning And Economic Development Committee Of The
Monroe County Legislature On Resolution (Intro. No. 205 Of 2010), Entitled
“Authorizing Addition To Monroe County Southwestern Agricultural District #2”
*(Public Hearing is scheduled for Monday, July 26, 2010 at 4:30 P.M. before the Planning and Economic
Development Committee, Room 406, Legislative Chambers, Monroe County Office Building)*
6. Hanna & Daniele
Intro. 208
Res. 168
28-0
10-0189 Amending Resolution 232 Of 2007 To Amend Contract With Good News Jail & Prison
Ministry For Staff And Christian Material To Provide Counseling And Programs For
Inmates At Monroe County Jail And Monroe Correctional Facility
Public Safety Committee; June 28, 2010 – CV: 8-0
Ways and Means Committee; June 30, 2010 – CV: 10-0
7. Quatro & Daniele
Intro. 209
Res. 169
28-0
10-0190 Accepting Grant From New York State Office Of Parks, Recreation And Historic
Preservation For Devil’s Cove Land Acquisition Project
Recreation and Education Committee; June 29, 2010 – CV: 5-0
Ways and Means Committee; June 30, 2010 – CV: 10-0
8. Antelli,
Valerio &
Daniele
Intro. 210
Res. 170
28-0
10-0191 Authorizing Intermunicipal Agreement With And Accepting Gift From Town Of Mendon
For Construction Of Improvements On Lehigh Valley Trail
Intergovernmental Relations Committee; June 29, 2010 – CV: 4-0
Recreation and Education Committee; June 29, 2010 – CV: 5-0
Ways and Means Committee; June 30, 2010 – CV: 10-0
9. Drawe & Daniele
Intro. 211
Res. 171
28-0
10-0192 Amending Resolution 292 Of 2008 To Accept Additional Funding From Centers For
Disease Control And Prevention For School Based Influenza Immunization Program
Human Services Committee; June 29, 2010 – CV: 6-0
Ways and Means Committee; June 30, 2010 – CV: 10-0
10. Drawe & Daniele
Intro. 212
Res. 172
28-0
10-0193 Amending Resolution 339 of 2009 To Accept Additional Funding From New York State
Department Of Health For Sexually Transmitted Disease Intervention Program
Human Services Committee; June 29, 2010 – CV: 6-0
Ways and Means Committee; June 30, 2010 – CV: 10-0
11. Drawe & Daniele
Intro. 213
Res. 173
28-0
10-0194 Amending Resolution 339 Of 2009 To Accept Additional Funding From New York State
Department Of Health For Sexually Transmitted Disease In Jails Program
Human Services Committee; June 29, 2010 – CV: 6-0
Ways and Means Committee; June 30, 2010 – CV: 10-0

12. Drawe & Daniele
Intro. 214
Res. 174
28-0

10-0195 Accepting Grant From New York State Department Of Health For Local Administration Of Early Intervention Program
Human Services Committee; June 29, 2010 – CV: 6-0
Ways and Means Committee; June 30, 2010 – CV: 10-0

(Legislator Eckel left the chambers and was not present for the vote)

13. Drawe & Daniele
Intro. 215
Res. 175
27-0

10-0196 Amending Resolution 322 Of 2009 To Accept Grant From New York State Department Of Health For Support Of Nurse-Family Partnership Program
Human Services Committee; June 29, 2010 – CV: 6-0
Ways and Means Committee; June 30, 2010 – CV: 10-0

14. Tucciarello & Daniele
Intro. 216
Res. 176
27-0

10-0197 Amending Resolution 320 Of 2009 To Accept Additional Funding From New York State Office For The Aging For Monroe County Office For The Aging Programs
Human Services Committee; June 29, 2010 – CV: 6-0
Ways and Means Committee; June 30, 2010 – CV: 10-0

15. Colby & Daniele
Intro. 217
Res. 177
27-0

10-0198 Authorizing Contracts With Erdman, Anthony And Associates, Inc. For Engineering Services And New York State Department Of Transportation For Twin Bridge Road Bridge At Oatka Creek Project In Town Of Wheatland
Transportation Committee; June 30, 2010 – CV: 9-0
Ways and Means Committee; June 30, 2010 – CV: 10-0

16. Rockow & Daniele
Intro. 218
Res. 178
27-0

10-0199 Authorizing Acquisition Of Interests In Real Property For Lawrence Road Bridge Over Brockport Creek Replacement Project In Town Of Clarkson
Transportation Committee; June 30, 2010 – CV: 9-0
Ways and Means Committee; June 30, 2010 – CV: 10-0

17. Yolevich & Howland
Intro. 219
Res. 179
27-0

10-0200 Appointment To Monroe County Board Of Health
Agenda/Charter Committee; June 28, 2010 – CV: 5-0

(Legislator Eckel returned to the chambers and was present for the remainder of the meeting)

18. Yolevich, Howland & Bronson
Intro. 220
Res. 180
28-0

10-0201 Appointments To Monroe County Recycling Advisory Committee
Agenda/Charter Committee; June 28, 2010 – CV: 5-0

19. Howland, Barker & Bronson
Intro. 221
Res. 181
28-0

10-0202 Confirmation Of Appointments To Monroe County Veterans Advisory Committee
Agenda/Charter Committee; June 28, 2010 – CV: 5-0

20. Colby & Daniele
Intro. 222
Res. 182
28-0
- 10-0206 Authorizing Contract With Crane Hogan Structural Systems, Inc. For Construction Services For North Greece Road Bridge At Northrup Creek Project In Town Of Greece
Transportation Committee; June 30, 2010 – CV: 9-0
Ways and Means Committee; June 30, 2010 – CV: 10-0
21. Colby & Daniele
Intro. 223
Res. 183
28-0
- 10-0206.br Resolution Authorizing The Issuance Of \$1,180,000 Bonds Of The County Of Monroe, New York, To Finance The Cost Of The Design and Replacement Of North Greece Road Bridge Over Northrup Creek (BIN 3317530), In And For Said County, At An Estimated Maximum Cost of \$1,180,000 And Superseding The Bond Resolution Adopted On December 8, 2009 (Resolution No. 377 Of 2009)
Transportation Committee; June 30, 2010 – CV: 9-0
Ways and Means Committee; June 30, 2010 – CV: 10-0
- Matters of Urgency
22. Quatro & Yolevich
Intro. 224
Res. 184
28-0
- 10-0238 Adopting Standard Work Day And Reporting Resolution For County Elected And Appointed Officials For Retirement Credit Purposes
23. Daniele & Yolevich
Intro. 225
Res. 185
28-0
- 10-0239 Accepting Reimbursement From New York State Board Of Elections For Help America Vote Act
24. Valerio & Daniele
Intro. 226
- 10-0240 Approving Monroe Community College's 2010-2011 Operating Budget
(For Introductory Purposes Only)
25. Valerio & Daniele
Intro. 227
M. 35
28-0
- 10-0240 Providing That Resolution (Intro. No. 226 Of 2010), Entitled "Approving Monroe Community College's 2010-2011 Operating Budget," Be Tabled
26. Valerio & Daniele
Intro. 228
Res. 186
28-0
- 10-0240 Fixing Public Hearing On Resolution (Intro. No. 226 Of 2010), Entitled "Approving Monroe Community College's 2010-2011 Operating Budget"
(Public Hearing is Scheduled before a Joint Meeting of the Recreation and Education and Ways and Means Committees on Wednesday, July 28, 2010 at 6:00 P.M.)
27. Daniele & Yolevich
Intro. 229
- 10-0241.LL Electing Retirement Incentive Program As Authorized By Part A Of Chapter 105, Laws Of 2010, And Authorizing County To Offer Local Incentive, For Eligible Employees Of County Of Monroe
(For Introductory Purposes Only)
28. Daniele & Yolevich
Intro. 230
M. 36
28-0
- 10-0241.LL Providing That Local Law (Intro. No. 229 Of 2010) Entitled "Electing Retirement Incentive Program As Authorized By Part A Of Chapter 105, Laws Of 2010, And Authorizing County To Offer Local Incentive, For Eligible Employees Of County Of Monroe" Be Tabled

29. Daniele & Yolevich Intro. 231 M. 187 28-0
- 10-0241.LL Fixing Public Hearing On Local Law (Intro. No. 229 Of 2010), Entitled “Electing Retirement Incentive Program As Authorized By Part A Of Chapter 105, Laws Of 2010, And Authorizing County To Offer Local Incentive, For Eligible Employees Of County Of Monroe”
(Public Hearing is Scheduled for Tuesday, August 10, 2010 at 6:15 P.M.)

UNFINISHED BUSINESS

Upon Motion by Legislator E. Daniel Quatro, the Legislature adjourned at 7:25 p.m. until Tuesday, August 10, 2010 at 6:00 p.m.

CHERYL M. ROZZI
Clerk of the Legislature