

THIRD DAY

TUESDAY, FEBRUARY 2, 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, Esposito, Eckel, 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 requested a moment of silent prayer.

IN MEMORIAM

38.	Quatro & Bronson Intro. 9 Res. 4 28-0	10-0067	Expressing Regret By the Monroe County Legislature On the Recent Passing Of The Honorable Joseph Esposito - former Monroe County Legislator Matter Of Urgency
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PRESENTATION OF COLORS

The Colors of Our Nation were presented by the Buffalo Soldiers. The Pledge of Allegiance to the Flag was led by Legislator Glenn J. Gamble.

RETIRING OF THE COLORS

The Colors of Our Nation were retired by the Buffalo Soldiers.

PROCLAMATION

By the President of the Legislature – Jeffrey R. Adair

Recognized Jointly with Legislator Glenn J. Gamble “Veterans of Foreign Wars Post 9251” for their steadfast resolve to ensure that the Rochester community never forgets the incredible contributions of the Buffalo Soldiers.
Read and Filed.

APPROVAL OF MINUTES

Without objection, the journal of the session of Day 2 of 2010, January 12, 2010 was approved as submitted.

PETITIONS AND COMMUNICATIONS

PROCLAMATIONS

By the President of the Legislature — Jeffrey R. Adair

Recognized Jointly with County Clerk Cheryl Dinolfo and Legislators Jeffrey L McCann and Richard Yolevich “Mary Pettinaro and Judy Rockafellow” for their efforts to raise awareness about the dangers of pancreatic cancer.

Read and Filed.

Recognized Jointly with Legislators Michael G. Barker and Ciaran T. Hanna “Dave Martens” for being inducted into the National Interscholastic Athletic Administrators Association Hall of Fame.

Read and Filed

Recognized Jointly with Legislators Richard Yolevich and Michael G. Barker “Chuck Partridge” on his 300th win as head coach of Hilton High School’s Varsity Wrestling Team.

Read and Filed.

Recognized Jointly with Legislator Robert J. Colby “Kim Zuber” in honor of his retirement from the Presidency of the Monroe County Farm Bureau.

Read and Filed

Recognized Jointly with Legislator Calvin Lee, Jr. “Old Timers Club” for their hard work and dedication to community service.

Read and Filed.

Recognized Jointly with Legislator Harry B. Bronson “Historians Tim O’Connell and Jean Czerkas and Homeowner Sherri Dukes” for helping to preserve a historic piece of our history.

Read and Filed.

Recognized Jointly with Legislators Willie J. Lightfoot and Calvin Lee, Jr. “Frederick Douglass Resource Center” for their hard work and dedication to the legacy of Frederick Douglass.

Read and Filed

Recognized Jointly with Legislator C. Stephen Eckel “Franklin Montessori Super X Squad” for their shining examples of innovation, teamwork and achievement.

Read and Filed

Recognized Jointly with Legislator Calvin Lee, Jr. “Martin Luther King, Jr. Greater Rochester Commission”

Read and Filed

FORMAL COMMITTEE REPORTS

NONE

PUBLIC FORUM

An Open Forum was conducted to allow speakers to address the Legislature. Six speakers addressed the Legislature on various subjects and the Open Forum concluded at 7:02 P.M.

RECESS

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

RECONVENING LEGISLATURE

President Adair reconvened the recessed meeting of February 2, 2010 and proceeded under the Usual Order of Business.

MOTIONS, RESOLUTIONS AND NOTICES

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|---|---------|---|
| Intro. 10
M. 2
28-0 | | Quatro/Bronson
Move Agenda as a Whole Except for Item Nos. 1 and 37. |
| 1. Yolevich &
Howland
Intro. 11
Res. 5
27-1 | 10-0005 | Appointment To Rochester-Genesee Regional Transportation Authority
<i>(Legislator Haney voted in the negative)</i> |
| 2. Hanna &
Daniele
Intro. 12
Res. 6
28-0 | 10-0007 | Accepting Grant From United States Department Of Justice, Bureau of Justice Assistance, For Office Of Sheriff, District Attorney's Office, And Department Of Public Safety, Office Of Probation and Community Corrections, For Bulletproof Vest Partnership Grant Program
Public Safety Committee; January 25, 2010 – CV: 8-0
Ways and Means Committee; January 27, 2010 – CV: 10-0 |
| 3. Hanna &
Daniele
Intro. 13
Res. 7
28-0 | 10-0008 | Accepting Grant From New York State Office Of Homeland Security For Operation Stonegarden Program
Public Safety Committee; January 25, 2010– CV: 8-0
Ways and Means Committee; January 27, 2010 – CV: 10-0 |
| 4. Hanna &
Daniele
Intro. 14
Res. 8
28-0 | 10-0009 | Accepting Grant From United States Department Of Justice, United States Marshals Service Western District Of New York, For USMS NY/NJ Regional Fugitive Task Force – Rochester Division
Public Safety Committee; January 25, 2010 – CV: 8-0
Ways and Means Committee; January 27, 2010 – CV: 10-0 |
| 5. Hanna &
Daniele
Intro. 15
Res. 9 | 10-0010 | Accepting Grant From New York State Division Of Criminal Justice Services For Crimes Against Revenue Prosecution Program
Public Safety Committee; January 25, 2010 – CV: 8-0
Ways and Means Committee; January 27, 2010 – CV: 10-0 |

28-0

6. Hanna & Daniele
Intro. 16
Res. 10
28-0
10-0011 Accepting Grant From New York State Division of Criminal Justice Services For Drug Law Reform Monitoring Program
Public Safety Committee; January 25, 2010 – CV: 8-0
Ways and Means Committee; January 27, 2010 – CV: 10-0
7. Hanna & Daniele
Intro. 17
Res. 11
28-0
10-0012 Authorizing Federal Equitable Sharing Agreements With United States Department Of Justice And United States Department Of Treasury
Public Safety Committee; January 25, 2010 – CV: 8-0
Ways and Means Committee; January 27, 2010 – CV: 10-0
8. Hanna & Daniele
Intro. 18
Res. 12
28-0
10-0013 Authorizing Intermunicipal Agreement With The City Of Rochester To Accept Pass Through Funding From United States Department Of Justice For Recovery Act – Edward Byrne Memorial Justice Assistance Grant Program
Public Safety Committee; January 25, 2010 – CV: 8-0
Ways and Means Committee; January 27, 2010 – CV: 10-0
9. Hanna & Daniele
Intro. 19
Res. 13
28-0
10-0014 Accepting Grant From New York State Division Of Criminal Justice Services For Stop Violence Against Women Program
Public Safety Committee; January 25, 2010 – CV: 8-0
Ways and Means Committee; January 27, 2010 – CV: 10-0
10. Hanna & Daniele
Intro. 20
Res. 14
28-0
10-0015 Authorizing Submission Of Alternatives To Incarceration Services Plan; Accepting Grant From New York State Division Of Probation And Correctional Alternatives For Alternatives To Incarceration Classification/Alternatives Program And Enhanced Drug/Alcohol Treatment Program
Public Safety Committee; January 25, 2010 – CV: 8-0
Ways and Means Committee; January 27, 2010 – CV: 10-0
11. Hanna & Daniele
Intro. 21
Res. 15
28-0
10-0016 Accepting Grant From New York State Governor’s Traffic Safety Committee For Community Traffic Safety Program
Public Safety Committee; January 25, 2010 – CV: 8-0
Ways and Means Committee; January 27, 2010 – CV: 10-0
12. Yolevich & Howland
Intro. 22
Res. 16
28-0
10-0017 Reappointments To Monroe County Airport Authority
Agenda/Charter Committee; January 25, 2010 – CV: 4-0
13. Yolevich & Howland
Intro. 23
Res. 17
28-0
10-0018 Appointment To Monroe County Board Of Health
Agenda/Charter Committee; January 25, 2010 – CV: 4-0
14. Hanna & Daniele
Intro. 24
Res. 18
28-0
10-0019 Authorizing Intermunicipal Agreements With Ten Municipalities For STOP-DWI Law Enforcement Program
Public Safety Committee; January 25, 2010 – CV: 8-0
Ways and Means Committee; January 27, 2010 – CV: 10-0
15. Antelli, Colby & Daniele
Intro. 25
Res. 19
10-0020 Authorizing Intermunicipal Agreements With Village Of Fairport And Town Of Perinton To Perform School Flasher Maintenance Services To School Flasher #823 Located On Hulburt Road In Village Of Fairport And Town Of Perinton
Intergovernmental Relations Committee; January 26, 2010 – CV: 5-0
Transportation Committee; January 27, 2010 – CV: 9-0

- 28-0 Ways and Means Committee; January 27, 2010 – CV: 10-0
16. Drawe & Daniele 10-0021 Authorizing Contracts With University Of Rochester, Society For The Protection & Care Of Children, Children’s Institute, Inc., Coordinated Care Services, Inc., And Marty Beyer, Ph.D. For Healthy Futures For Children In Foster Care Program
Intro. 26 Human Services Committee; January 26, 2010 – CV: 6-0
Res. 20 Ways and Means Committee; January 27, 2010 – CV: 10-0
28-0
17. Drawe & Daniele 10-0022 Accepting Grant From New York State Division Of Criminal Justice Services For Paul Coverdell National Forensic Sciences Improvement Program (Medical Examiner’s Toxicology Laboratory)
Intro. 27 Human Services Committee; January 26, 2010 – CV: 6-0
Res. 21 Ways and Means Committee; January 27, 2010 – CV: 10-0
28-0
18. Drawe & Daniele 10-0023 Accepting Grant From New York State Department Of Health For Public Health Campaign Program; Authorizing Contract With University Of Rochester
Intro. 28 Human Services Committee; January 26, 2010 – CV: 6-0
Res. 22 Ways and Means Committee; January 27, 2010 – CV: 10-0
28-0
19. Drawe & Daniele 10-0024 Accepting Grant From New York State Department Of Health For Immunization Action Plan Program; Authorizing Contract With University Of Rochester
Intro. 29 Human Services Committee; January 26, 2010 – CV: 6-0
Res. 23 Ways and Means Committee; January 27, 2010 – CV: 10-0
28-0
20. Drawe & Daniele 10-0025 Accepting Grant From New York State Department Of Health For Childhood Lead Poisoning Prevention Program
Intro. 30 Human Services Committee; January 26, 2010 – CV: 6-0
Res. 24 Ways and Means Committee; January 27, 2010 – CV: 10-0
28-0
21. Drawe & Daniele 10-0026 Accepting Grant From New York State Department Of Health For Healthy Neighborhoods Program
Intro. 31 Human Services Committee; January 26, 2010– CV: 6-0
Res. 25 Ways and Means Committee; January 27, 2010 – CV: 10-0
28-0
22. Drawe & Daniele 10-0027 Accepting Grant From New York State Governor’s Traffic Safety Committee For Child Passenger Safety Program (Department Of Public Health)
Intro. 32 Human Services Committee; January 26, 2010 – CV: 6-0
Res. 26 Ways and Means Committee; January 27, 2010 – CV: 10-0
28-0
23. Drawe & Daniele 10-0028 Accepting Grant From New York State Department Of Health For Healthy Mom – Healthy Baby Program
Intro. 33 Human Services Committee; January 26, 2010 – CV: 6-0
Ways and Means Committee; January 27, 2010 – CV: 10-0
- Intro. 34 Drawe/Daniele
M. 3 Motion to Amend File No. 10-0028 to read:
28-0

Be It Moved, that Intro. No.33 of 2010, be amended as follows:

Section 3. ~~The County Executive is hereby authorized to reappropriate any unencumbered balances during the grant period according to the grantor requirements and to make any necessary funding modifications within grant guidelines to meet contractual commitments.~~The County Executive, or her designee, is hereby authorized to execute contracts and any amendments with subcontractors as necessary to carry out the purposes of the grant in accordance with the contract with the New York State Department of Health.

Section ~~34~~. The County Executive is hereby authorized to reappropriate any unencumbered balances during the grant period according to the grantor requirements and to make any necessary funding modifications within grant guidelines to meet contractual commitments.

Section ~~45~~. Should funding of this program be modified or terminated for any reason, the County Executive is hereby authorized to terminate or modify the program and, where applicable, to terminate or abolish some or all positions funded under such program. Any termination or abolishment of positions shall be in accordance with New York State Civil Service Law and, when applicable, the terms of any labor agreement affecting such positions.

Section ~~56~~. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

File No. 10-0028

Added language is underlined
Deleted language is ~~stricken~~

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|---|---|
| Intro. 33
Res. 27 (As Amended by M. 3)
28-0 | Main Motion |
| 24. Drawe &
Daniele
Intro. 35
Res. 28
28-0 | 10-0029 Accepting Grant From Society For The Protection And Care Of Children, Inc. For Monroe County Nurse-Family Partnership Program; Authorizing Contract With Visiting Nurse Service, Inc.
Human Services Committee; January 26, 2010 – CV: 6-0
Ways and Means Committee; January 27, 2010 – CV: 10-0 |
| 25. Drawe &
Daniele
Intro. 36
Res. 29
28-0 | 10-0030 Accepting Grant From New York State Department Of Health For Capacity Building For Public Health Partners Program; Authorizing Contract With University Of Rochester
Human Services Committee; January 26, 2010 – CV: 6-0
Ways and Means Committee; January 27, 2010 – CV: 10-0 |
| 26. Drawe &
Daniele
Intro. 37
Res. 30
28-0 | 10-0031 Amending Resolution 317 Of 2009 To Accept Additional Funding From New York State Office Of Temporary And Disability Assistance For 2009-2010 Home Energy Assistance Program
Human Services Committee; January 26, 2010 – CV: 6-0
Ways and Means Committee; January 27, 2010 – CV: 10-0 |
| 27. Cassetti &
Daniele
Intro. 38
Res. 31
28-0 | 10-0032 Authorizing Contract With Clean Harbors Environmental Services, Inc. For Disposal And Consultant Services Relative To Operation Of Monroe County Household Hazardous Waste Collection And Transfer Program
Environment & Public Works Committee; January 27, 2010 – CV: 6-0
Ways and Means Committee; January 27, 2010 – CV: 10-0 |
| 28. Cassetti &
Daniele
Intro. 39
Res. 32
28-0 | 10-0034 Authorizing Acquisition Of Interests In Real Property By Irondequoit Bay South Central Pure Waters District For The Culver Goodman Monitoring System Upgrades Project In Town Of Irondequoit
Environment & Public Works Committee; January 27, 2010 – CV: 6-0
Ways and Means Committee; January 27, 2010 – CV: 10-0 |
| 29. Colby &
Daniele
Intro. 40
Res. 33 | 10-0036 Authorizing Advertisement For Bids North Greece Road Bridge At Northrup Creek In Town Of Greece
Transportation Committee; January 27, 2010 – CV: 9-0
Ways and Means Committee; January 27, 2010 – CV: 10-0 |

28-0

30. Colby & Daniele
Intro. 41
Res. 34
28-0
- 10-0037 br. Resolution Authoring The Issuance Of \$410,000 Bonds Of The County Of Monroe, New York, To Finance The Cost Of The Reconstruction And Improvement Of Portions Of Dorsey Road From Mt. Read Boulevard To Dewey Avenue, In And For Said County, And Superseding The Bond Resolution Adopted On December 9, 2008 (Resolution No. 351 Of 2008)
Transportation Committee; January 27, 2010 – CV: 9-0
Ways and Means Committee; January 27, 2010 – CV: 10-0
31. Colby & Daniele
Intro. 42
Res. 35
28-0
- 10-0038 br. Resolution Authoring The Issuance Of \$490,000 Bonds Of The County Of Monroe, New York, To Finance The Cost Of The Reconstruction And Improvement Of Portions Of Lincoln Road From Commercial Street To Route 31F, In And For Said County, And Superseding The Bond Resolution Adopted On December 9, 2008 (Resolution No. 347 2008)
Transportation Committee; January 27, 2010 – CV: 9-0
Ways and Means Committee; January 27, 2010 – CV: 10-0
32. Daniele & Yolevich
Intro. 43
Res. 36
28-0
- 10-0039 Authorizing Sale Of County Owned Tax Foreclosure Property In Town Of Irondequoit
Ways and Means Committee; January 27, 2010 – CV: 10-0
33. Daniele & Yolevich
Intro. 44
Res. 37
28-0
- 10-0040 Authorizing Sale Of Two County Owned Tax Foreclosure Properties In Town Of Riga
Ways and Means Committee; January 27, 2010 – CV: 10-0
34. Daniele & Yolevich
Intro. 45
Res. 38
28-0
- 10-0041 Directing The Refund Of Certain Monroe County Taxes Levied and Collected Against Property In Town Of Greece
Ways and Means Committee; January 27, 2010 – CV: 10-0
35. Hanna & Daniele
Intro. 46
Res. 39
28-0
- 10-0042 Accepting Grant From New York State Governor’s Traffic Safety Committee For Selective Traffic Enforcement Program
Public Safety Committee; January 25, 2010 – CV: 8-0
Ways and Means Committee; January 27, 2010 – CV: 10-0
36. Daniele & Yolevich
Intro. 47
Res. 40
28-0
- 10-0043 Accepting Grant From New York State Board Of Elections For Voting Access For Individuals With Disabilities Polling Place Access Improvement
Ways and Means Committee; January 27, 2010 – CV: 10-0
37. Yolevich & Howland
Intro. 48
Res. 41
28-0
- 10-0044 Designating Official Newspapers For County of Monroe For 2010 Agenda/Charter Committee; January 25, 2010– CV: 10-0

UNFINISHED BUSINESS

Upon Motion by Legislator E. Daniel Quatro, the Legislature adjourned at 7:11 P.M. until Tuesday, March 9, 2010 at 6:00 p.m.

CHERYL M. ROZZI
Clerk of the Legislature