

EIGHTH DAY

TUESDAY, July 10, 2012

Legislature met pursuant to adjournment.

President Jeffrey R. Adair in the Chair.

ROLL CALL

Present — Legislators Adair, Ancello, Andrews, Antelli, Barker, Bauroth, Boyce, Colby, Daniele, Drawe, Esposito, Gamble, Gumina, Haney, Hanna, Howland, Kaleh, J. Lightfoot, W. Lightfoot, McCann, Micciche, O'Brien, Patterson, Quatro, Rockow, Tucciarello, Valerio, Wilcox, Yolevich— 29

Meeting formally opened. At the invitation of Legislator Tony Micciche, Father Jack Healy of McQuaid Jesuit High School delivered the invocation. The Pledge of Allegiance to the Flag was led by Legislator Carmen Gumina.

APPROVAL OF MINUTES

Without objection, the Journal of the Session of Day 7, June 12, 2012 was approved as submitted.

PETITIONS AND COMMUNICATIONS

NONE

President Adair recognized Mark Quinn, Horticulturalist for the Parks Department, who introduced the Plant of the Month, the *Daylily* to the Legislature.

PROCLAMATIONS

By the President of the Legislature — Jeffrey R. Adair

Recognized Jointly with Legislator Karla F. Boyce, “Pathways to Peace” for the positive impact they have made on our local youth community.

Read and Filed.

Recognized Jointly with Legislator John J. Howland, “Matthew Jarrett” on being named “EMT of the Year” by the Monroe-Livingston Regional EMS Council.

Read and Filed.

RECESS

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

“Adopting the 2013-2018 Capital Improvement Program”. Three speakers addressed the Legislature and the hearing concluded at 6:22 P.M.

FORMAL COMMITTEE REPORTS

None

PUBLIC FORUM

An Open Forum was conducted to allow speakers to address the Legislature. Fourteen speakers addressed the Legislature and the Open Forum concluded at 7:05 P.M.

RECESS

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

MOTIONS, RESOLUTIONS AND NOTICES

- | | | |
|--|---------|---|
| 1. Yolevich &
Gumina
Intro. 239
Res. 183
29-0 | 12-0181 | Directing Correction, Cancellation and Levy of Certain Monroe County Taxes in Town of Greece
Ways and Means Committee; June 27, 2012 – CV: 11-0 |
| 2. Rockow,
Hanna,
Valerio
Colby,
Drawe,
Howland,
Gumina &
Yolevich
Intro. 240
M. 51
29-0 | 12-0190 | Providing that Resolution (Intro. No. 233 of 2012), “Adopting 2013-2018 Capital Improvement Program,” Be Lifted from the Table
Planning and Economic Development Committee; May 21, 2012 – CV: 3-2
Public Safety Committee; May 21, 2012 – CV: 4-3
Recreation and Education Committee; May 22, 2012 – CV: 3-2
Transportation Committee; May 22, 2012 – CV: 4-3
Human Services Committee; May 22, 2012 – CV: 6-3
Environment and Public Works Committee; May 23, 2012 – CV: 4-3
Intergovernmental Relations Committee; May 23, 2012 – CV: 3-2
Ways and Means Committee; May 23, 2012 – CV: 7-4 |
| 3. Rockow,
Hanna,
Valerio
Colby,
Drawe,
Howland,
Gumina &
Yolevich
Intro. 241
M. 52 | 12-0190 | Providing that Resolution (Intro. No. 233 of 2012), “Adopting 2013-2018 Capital Improvement Program,” Be Adopted
Planning and Economic Development Committee; May 21, 2012 – CV: 3-2
Public Safety Committee; May 21, 2012 – CV: 4-3
Recreation and Education Committee; May 22, 2012 – CV: 3-2
Transportation Committee; May 22, 2012 – CV: 4-3
Human Services Committee; May 22, 2012 – CV: 6-3
Environment and Public Works Committee; May 23, 2012 – CV: 4-3
Intergovernmental Relations Committee; May 23, 2012 – CV: 3-2
Ways and Means Committee; May 23, 2012 – CV: 7-4 |
| Intro. 242
M. 53
11-18 F | | J. Lightfoot/O’Brien (<i>Amendment 1</i>)
Motion to Amend Intro 233 of 2012 as follows: |

To amend the 2013 – 2018 Capital Improvement Program as follows:

To insert the following new project: “Expansion of WiFi”

In May of 2007, the County Legislature authorized a 15-year contract with Frontier Communications Solutions (FCS) to utilize excess capacity on the County’s facilities in order to establish a wireless networking system. This contract included stipulations to create “free zones” for free wireless access to the Internet within certain “deployment areas.” This project will initiate the process of working with FCS to expand the number of established “free zones” in the County, including establishing one such zone in the South West neighborhood of the City of Rochester.

(Legislators O’ Brien, Andrews, Bauroth, Esposito, Gamble, Haney, Kaleb, J. Lightfoot, W. Lightfoot, Patterson and Wilcox voted in the positive)

Intro. 243
M. 54
11-18 F

Esposito/J. Lightfoot (*Amendment 2*)
Motion to Amend Intro 233 of 2012 as follows:

To amend the following onto Page 13: “Downtown Campus”

~~“The College has selected a site for its new Downtown Campus in an existing building complex. The current programs at the Damon City Campus will be transferred to this new location as soon as development is complete. The SEQ process and design activities will begin in 2012 and redevelopment of the building complex is expected to be completed in 2015.”~~The Downtown Campus is a project vital to the economic development of our region. This project will provide the College with an updated campus to more adequately serve the growing needs of students.

(Legislators O’ Brien, Andrews, Bauroth, Esposito, Gamble, Haney, Kaleb, J. Lightfoot, W. Lightfoot, Patterson and Wilcox voted in the positive)

Intro. 244
M. 55
11-18 F

Haney/O’ Brien
Motion to Table Intro. 233 of 2012
(Legislators O’ Brien, Andrews, Bauroth, Esposito, Gamble, Haney, Kaleb, J. Lightfoot, W. Lightfoot, Patterson and Wilcox voted in the positive)

Intro. 233
Res. 184
18-11

Main Motion
(Legislators O’ Brien, Andrews, Bauroth, Esposito, Gamble, Haney, Kaleb, J. Lightfoot, W. Lightfoot, Patterson and Wilcox voted in the negative)

4. Hanna &
Yolevich
Intro. 245
Res. 185
29-0

12-0198 Accepting Grant from New York State Division of Homeland Security and Emergency Services for Operation Stonegarden Program
Public Safety Committee; June 25, 2012 – CV: 8-0
Ways and Means Committee; June 27, 2012 – CV: 11-0

5. Hanna &
Yolevich
Intro. 246
Res. 186
29-0

12-0199 Accepting Grant from New York State Office of Homeland Security for State Homeland Security Program (Office of the Sheriff)
Public Safety Committee; June 25, 2012 – CV: 8-0
Ways and Means Committee; June 27, 2012 – CV: 11-0

6. Hanna & Micciche
Intro. 247
Res. 187
29-0
12-0200 Amending Monroe County Mutual Aid Fire Plan
Public Safety Committee; June 25, 2012 – CV: 8-0
7. Hanna & Yolevich
Intro. 248
Res. 188
29-0
12-0201 Authorizing Contract with Sorenson Forensics for 2010 Forensic DNA Backlog
Reduction Program
Public Safety Committee; June 25, 2012 – CV: 8-0
Ways and Means Committee; June 27, 2012 – CV: 11-0
8. Hanna & Yolevich
Intro. 249
Res. 189
29-0
12-0202 Amending Resolution 186 of 2008 to Authorize Contract with the Henry C. Lee
Institute of Forensic Sciences for USDOJ Monroe County Regional Crime Lab Vehicle
Examination and Training Module
Public Safety Committee; June 25, 2012 – CV: 8-0
Ways and Means Committee; June 27, 2012 – CV: 11-0
9. Gumina,
Hanna &
Yolevich
Intro. 250
Res. 190
29-0
12-0203 Amending Resolution 44 of 2011 to Authorize an Intermunicipal Agreement with City
of Rochester for Homeland Security Program
Intergovernmental Relations Committee; June 27, 2012 – CV: 5-0
Public Safety Committee; June 25, 2012 – CV: 8-0
Ways and Means Committee; June 27, 2012 – CV: 11-0
10. Howland & Yolevich
Intro. 251
Res. 191
29-0
12-0204 Authorizing Agreement Between Monroe County and New York Water and
Wastewater Agency Response Network
Environment and Public Works Committee; June 27, 2012 – CV: 7-0
Ways and Means Committee; June 27, 2012 – CV: 11-0
11. Colby & Yolevich
Intro. 252
Res. 192
29-0
12-0206 Authorizing Acquisition of Interest in Real Property for Construction and Maintenance
of Traffic Signal Equipment at Intersection of Elmwood Avenue and East Drive in
City of Rochester
Transportation Committee; June 26, 2012 – CV: 7-0
Ways and Means Committee; June 27, 2012 – CV: 11-0
12. Colby & Yolevich
Intro. 253
Res. 193
29-0
12-0207 Authorizing Acquisition of Interests in Real Property for Long Pond Road Highway
Project in Town of Greece
Transportation Committee; June 26, 2012 – CV: 7-0
Ways and Means Committee; June 27, 2012 – CV: 11-0
13. Howland & Yolevich
Intro. 254
Res. 194
29-0
12-0208 Authorizing Acquisition of Interests in Real Property for Trolley Pump Station
Improvements Project in Town of Greece
Environment and Public Works Committee; June 27, 2012 – CV: 7-0
Ways and Means Committee; June 27, 2012 – CV: 11-0
14. Howland,
Gumina &
Yolevich
Intro. 255
12-0212 Amending Resolution 155 of 2011 to Increase Amount of an Intermunicipal
Agreement with City of Rochester; Authorizing Contracts with Paragon
Environmental Construction, Inc. and Blackmon-Farrell, Inc. for Construction Services
for Monroe County Multi-Agency Green Fueling Stations Project
Environment and Public Works Committee; June 27, 2012 – CV: 7-0
Intergovernmental Relations Committee; June 27, 2012 – CV: 5-0
Ways and Means Committee; June 27, 2012 – CV: 11-0

Intro. 256
M. 56
29-0
O'Brien/Andrews
Motion to Move into Executive Session

Note: President Adair granted a five minute recess at the request of Legislator O'Brien.

Intro. 257
M. 57
29-0
O'Brien/Daniele/W. Lightfoot
Motion to Table Intro. 255 of 2012

15. Howland,
Gumina &
Yolevich
Intro. 258
12-0212.br Resolution Authorizing the Issuance of \$6,950,000 Bonds of the County of Monroe, New York, to Finance the Cost of Design and Construction of Alternative-Fuel Dispensing Stations as Part of the Monroe County Multi-Agency Green Fueling Stations Project in and for Said County, at an Estimated Maximum Cost of \$6,950,000 and Superseding the Bond Resolution Adopted on May 10, 2011 (Resolution No. 156 of 2011)
Environment and Public Works Committee; June 27, 2012 – CV: 7-0
Intergovernmental Relations Committee; June 27, 2012 – CV: 5-0
Ways and Means Committee; June 27, 2012 – CV: 11-0

Intro. 259
M. 58
29-0
O'Brien/Daniele
Motion to Table Intro. 258 of 2012

16. Howland &
Yolevich
Intro. 260
Res. 195
29-0
12-0213 Authorizing Sale of Permanent Utility Easement on Property Owned by Monroe County and Leased to Monroe County Airport Authority to Frontier Telephone of Rochester, Inc.
Environment and Public Works Committee; June 27, 2012 – CV: 7-0
Ways and Means Committee; June 27, 2012 – CV: 11-0

17. Yolevich &
Gumina
Intro. 261
Res. 196
29-0
12-0214 Authorizing Sale of County Owned Tax Foreclosure Property Located at 314 Fisher Road in Town of Chili
Ways and Means Committee; June 27, 2012 – CV: 11-0

18. Yolevich &
Gumina
Intro. 262
Res. 197
29-0
12-0215 Accepting Grant from New York State Board of Elections for Submission of Help America Vote Act Operations Expenses Program
Ways and Means Committee; June 27, 2012 – CV: 11-0

19. Rockow,
Colby &
Yolevich
Intro. 263
12-0216 Accepting Grant from New York State Energy Research and Development Authority; Authorizing Contract with Genesee Transportation Council for Project Management Services for Development of Cleaner, Greener Communities Regional Sustainability Plan
Planning and Economic Development Committee; June 25, 2012 – CV: 5-0
Transportation Committee; June 26, 2012 – CV: 7-0
Ways and Means Committee; June 27, 2012 – CV: 11-0

Intro. 264
M. 59
29-0
Rockow/Howland
Motion to Amend Intro 263 of 2012 as follows:
2. Amend the 2012 operating grant budget of the Department of Environmental Services by appropriating the sum of \$900,000 into fund 9300 ~~9003~~, funds center 8301010000, Engineering Administration.

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

Intro. 263
Res. 198 (as Amended by M. 59)
29-0

Main Motion

20. Yolevich & Gumina
Intro. 265
Res. 199
29-0
- 12-0220 Approving Application to United States Department of Agriculture for Supplemental Nutrition Assistance Program Participation Grant Ways and Means Committee; June 27, 2012 – CV: 11-0

Matters Of Urgency

21. Valerio & Yolevich
Intro. 266
- 12-0221 Approval of Monroe Community College’s 2012-2013 Operating Budget
(For Introductory Purposes Only)
Matter of Urgency
22. Valerio & Yolevich
Intro. 267
M. 60
29-0
- 12-0221 Providing that Resolution (Intro. No. 266 of 2012), “Approval of Monroe Community College’s 2012-2013 Operating Budget,” Be Tabled
Matter of Urgency
23. Valerio & Yolevich
Intro. 268
Res. 200
29-0
- 12-0221 Fixing Public Hearing for “Approval of Monroe Community College’s 2012-2013 Operating Budget”
(Public Hearing is Scheduled for Wednesday, July 25, 2012 at 6:00 p.m. before a joint meeting of the Recreation and Education and Ways and Means Committees)
Matter of Urgency
24. Yolevich & Gumina
Intro. 269
Res. 201
25-4
- 12-0222 Authorizing Contract with HMS Employer Solutions to Conduct Dependent Eligibility Audit for Monroe County Employees and Retirees Enrolled in Monroe County Health and/or Dental Insurance
(Legislators Andrews, Gamble, W. Lightfoot and Patterson voted in the negative)
Matter of Urgency
25. Yolevich & Gumina
Intro. 270
Res. 202
29-0
- 12-0223 Adopting Standard Work Day and Reporting Resolution for County Elected and Appointed Officials for Retirement Credit Purposes
Matter of Urgency

UNFINISHED BUSINESS

President Adair and Legislator O’Brien both thanked Legislator Esposito for his service to the Legislature and wished him well in his new position.

Upon Motion by Legislator Vincent Esposito, the Legislature adjourned at 8:55 p.m. until Tuesday, August 14, 2012 at 6:00 p.m.

CHERYL M. ROZZI
Clerk of the Legislature