

TWELFTH DAY

---

TUESDAY, October 13, 2015

---

**DRAFT**

Legislature met pursuant to adjournment.

President Jeffrey R. Adair in the Chair.

---

**ROLL CALL**

Present – Legislators Adair, Ancello, Andrews, Bauroth, Boyce, Carbone, Colby, Delehanty, Daniele, Drawe, Flagler-Mitchell, Haney, Howland, Kalch, J. Lightfoot, Marianetti, Micciche, Morelle, Jr., Quatro, Styk, Taylor, Terp, Tucciarello, Valerio, Wilcox, Yolevich – 26

Absent – Legislators, Gamble, W. Lightfoot, Rockow – 3

---

The meeting formally opened. At the invitation of Legislator Glenn Gamble, Pastor Burnice Green of God's Vision Ministries delivered the invocation. The Pledge of Allegiance to the Flag was led by Legislator Paul Haney.

---

**IN MEMORIAM**

37. Tucciarello & Andrews Intro. 327 Res. 254 26-0	15-0043	Expressing Regret of the Monroe County Legislature on the Recent Passing of Gilbert J. Morelle, Sr., Grandfather of Legislator Joseph D. Morelle, Jr. Matter of Urgency
---	---------	--

---

**APPROVAL OF MINUTES**

Without objection, the Journal of Day 11, September 8, 2015 was approved as submitted.

---

**PETITIONS AND COMMUNICATIONS**

None

---

President Adair recognized Mark Quinn, Horticulturalist from the Parks Department, who introduced the Plant of the Month, the Chrysanthemum to the Legislature.

---

**PROCLAMATIONS**

By the President of the Legislature – Jeffrey R. Adair

Recognized jointly with Legislator Boyce, "Full Circle Home," an organization created by Vickie Durfee provides gifts to the loved ones from their deployed U.S. Soldiers during the holiday season.  
Read and Filed.

---

**RECESS**

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

*"Authorizing the Sale of Surplus Property on O'Brien Road in Town of Riga, New York to George McCormick"*

No speakers addressed the Legislature and the Public Hearing concluded at 6:17 P.M.

*"Enacting a Local Law to Amend the Landfill Lease Agreement with Waste Management of New York, LLC for Mill Seat Landfill"*

No speakers addressed the Legislature and the Public Hearing concluded at 6:18 P.M.

*"Approving Increase and Improvement of Facilities in Irondequoit Bay South Central Pure Waters District for Acquisition of Industry Pump Station and Forcemain from New York State"*

No speakers addressed the Legislature and the Public Hearing concluded at 6:18 P.M.

*"Enacting a Local Law Authorizing Lease Agreement with Waste Management of New York, LLC for Ecopark Facility"*

No speakers addressed the Legislature and the Public Hearing concluded at 6:19 P.M.

*"Enacting a Local Law to Authorize a Power Purchase Agreement and Leases with Solar Liberty, Inc.; Transferring Parcels from Solid Waste Fund to County Internal Service Fund and Authorizing Interconnection Agreements with RG&E, All Related to Creation of Solar-Generated Electricity to Benefit Monroe County Pure Waters and Monroe County Facilities"*

No speakers addressed the Legislature and the Public Hearing concluded at 6:20 P.M.

---

**FORMAL COMMITTEE REPORTS**

None

---

**PUBLIC FORUM**

An Open Forum was conducted to allow speakers to address the Legislature. There were eight speakers and the Open Forum concluded at 6:39 P.M.

---

**RECESS**

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

---

**CONSIDERATION OF LOCAL LAWS**

1. Tucciarello & Yolevich  
Intro. 328  
M. 68  
26-0  
15-0264.LL Providing that Local Law (Intro. No. 288 of 2015), Entitled "Authorizing the Sale of Surplus Property on O'Brien Road in Town of Riga, New York to George McCormick," Be Lifted from the Table
2. Tucciarello & Yolevich  
Intro. 329  
M. 69  
26-0  
15-0264.LL Providing that Local Law (Intro. No. 288 of 2015), Entitled "Authorizing the Sale of Surplus Property on O'Brien Road in Town of Riga, New York to George McCormick," Be Adopted

- Intro. 288  
Local Law TBA  
26-0
- Main Motion
3. Tucciarello, Marianetti & Yolevich  
Intro. 330  
M. 70  
26-0
- 15-0266.LL Providing that Local Law (Intro. No. 291 of 2015), Entitled "Enacting a Local Law to Amend the Landfill Lease Agreement with Waste Management of New York, LLC for the Mill Seat Landfill," Be Lifted from the Table
4. Tucciarello, Marianetti & Yolevich  
Intro. 331  
M. 71  
26-0
- 15-0266.LL Providing that Local Law (Intro. No. 291 of 2015), Entitled "Enacting a Local Law to Amend the Landfill Lease Agreement with Waste Management of New York, LLC for the Mill Seat Landfill," Be Adopted
- Intro. 291  
Local Law TBA  
26-0
- Main Motion  
(As Amended by Motion No. 60 of 2015.)
5. Tucciarello, Marianetti & Yolevich  
Intro. 332  
M. 72  
26-0
- 15-0272.LL Providing that Local Law (Intro. No. 321 of 2015), Entitled "Enacting a Local Law Authorizing Lease Agreement with Waste Management of New York, LLC for Ecopark Facility," Be Lifted from the Table
6. Tucciarello, Marianetti & Yolevich  
Intro. 333  
M. 73  
26-0
- 15-0272.LL Providing that Local Law (Intro. No. 321 of 2015), Entitled "Enacting a Local Law Authorizing Lease Agreement with Waste Management of New York, LLC for Ecopark Facility," Be Adopted  
Agenda/Charter Committee; September 29, 2015 – CV: 5-0  
Environment and Public Works Committee; September 30, 2015 – CV: 6-0  
Ways and Means Committee; September 30, 2015 – CV: 11-0
- Intro. 321  
Local Law TBA  
26-0
- Main Motion
7. Tucciarello, Marianetti & Yolevich  
Intro. 334  
M. 74  
26-0
- 15-0274.LL Providing that Local Law (Intro. No. 324 of 2015), Entitled "Enacting a Local Law to Authorize a Power Purchase Agreement and Leases with Solar Liberty, Inc.; Transferring Parcels from Solid Waste Fund to County Internal Service Fund and Authorizing Interconnection Agreements with RG&E, All Related to Creation of Solar-Generated Electricity to Benefit Monroe County Pure Waters and Monroe County Facilities," Be Lifted from the Table
8. Tucciarello, Marianetti & Yolevich  
Intro. 335  
M. 75  
24-1
- 15-0274.LL Providing that Local Law (Intro. No. 324 of 2015), Entitled "Enacting a Local Law to Authorize a Power Purchase Agreement and Leases with Solar Liberty, Inc.; Transferring Parcels from Solid Waste Fund to County Internal Service Fund and Authorizing Interconnection Agreements with RG&E, All Related to Creation of Solar-Generated Electricity to Benefit Monroe County Pure Waters and Monroe County Facilities," Be Adopted  
Agenda/Charter Committee; September 29, 2015 – CV: 5-0  
Environment and Public Works Committee; September 30, 2015 – CV: 6-0  
Ways and Means Committee; September 30, 2015 – CV: 11-0  
(Legislator Haney Voted in the Negative.)

*Note: Legislator Micicche exited the chambers prior to the vote.*

- Intro. 324  
Local Law TBA  
24-1
- Main Motion  
*(Legislator Haney Voted in the Negative.)*
9. Tucciarello & Yolevich  
Intro. 336
- 15-0291.LL Enacting a Local Law Authorizing a Lease Agreement from County of Monroe to Alzheimer's Disease and Related Disorders Association – Rochester Chapter, Inc. to Use and Occupy Space at Monroe Community Hospital, 435 E. Henrietta Road, City of Rochester, New York  
*(For Introductory Purposes Only)*  
Agenda/Charter Committee; September 29, 2015 – CV: 5-0  
Ways and Means Committee; September 30, 2015 – CV: 11-0
10. Tucciarello & Yolevich  
Intro. 337  
M. 76  
25-0
- 15-0291.LL Providing that Local Law (Intro. No. 336 of 2015), Entitled “Enacting a Local Law Authorizing a Lease Agreement with Alzheimer’s Disease and Related Disorders Association – Rochester Chapter, Inc. to Use and Occupy Space at Monroe Community Hospital, 435 E. Henrietta Road, City of Rochester, New York,” Be Tabled
11. Tucciarello & Yolevich  
Intro. 338  
Res. 255  
25-0
- 15-0291.LL Fixing a Public Hearing on Local Law (Intro. No. 336 of 2015), Entitled “Enacting a Local Law Authorizing a Lease Agreement with Alzheimer’s Disease and Related Disorders Association – Rochester Chapter, Inc. to Use and Occupy Space at Monroe Community Hospital, 435 E. Henrietta Road, City of Rochester, New York”  
*(Public Hearing is scheduled for Tuesday, November 10, 2015 at 6:15 p.m.)*

---

#### MOTIONS, RESOLUTIONS AND NOTICES

- Intro 339  
M. 77  
9-16 F
- Styk/Morelle, Jr.  
Motion to Suspend the Rules  
*(Legislators Andrews, Bauroth, Flagler-Mitchell, Haney, Kaleh, J. Lightfoot, Morelle, Jr., Styk, and Wilcox Voted in the Positive.)*
12. Marianetti & Yolevich  
Intro. 340  
M. 78  
25-0
- 15-0260 Providing that Resolution (Intro. No. 313 of 2015), Entitled “Approving Increase and Improvement of Facilities in Irondequoit Bay South Central Pure Waters District for Acquisition of Industry Pump Station and Forcemain from New York State,” Be Lifted from the Table
13. Marianetti & Yolevich  
Intro. 341  
M. 79  
25-0
- 15-0260 Providing that Resolution (Intro. No. 313 of 2015), Entitled “Approving Increase and Improvement of Facilities in Irondequoit Bay South Central Pure Waters District for Acquisition of Industry Pump Station and Forcemain from New York State,” Be Adopted
- Intro. 313  
Res. 256  
25-0
- Main Motion
14. Quatro & Howland  
Intro. 342  
Res. 257  
25-0
- 15-0280 Authorizing Intermunicipal Agreement among Monroe County and Towns of Irondequoit, Penfield and Webster to Implement Irondequoit Bay Harbor Management Plan  
Intergovernmental Relations Committee; September 30, 2015 – CV: 5-0  
Planning and Economic Development Committee; September 29, 2015 – CV: 4-0
15. Ancello & Yolevich  
Intro. 343  
Res. 258  
25-0
- 15-0281 Accepting Grant from New York State Division of Criminal Justice Services for Monroe County Sheriff's Office Motorcycle Helmets and Communications Project  
Public Safety Committee; September 29, 2015 – CV: 6-0  
Ways and Means Committee; September 30, 2015 – CV: 11-0

16. Marianetti & Terp  
Intro. 344  
Res. 259  
25-0  
15-0282 Adopting Monroe County Final Local Solid Waste Management Plan, Dated July 2015  
Environment and Public Works Committee; September 30, 2015 – CV: 6-0
17. Marianetti & Yolevich  
Intro. 345  
Res. 260  
25-0  
15-0283 Authorizing Contract with John W. Danforth Company to Operate, Maintain and  
Broker the Mill Seat Landfill Gas Plant 2 Project  
Environment and Public Works Committee; September 30, 2015 – CV: 6-0  
Ways and Means Committee; September 30, 2015 – CV: 10-1
18. Quatro,  
Marianetti &  
Yolevich  
Intro. 346  
Res. 261  
25-0  
15-0284 Authorizing Intermunicipal Agreement with City of Rochester for Disposal of Solid  
Waste and Processing of Recyclable Materials  
Intergovernmental Relations Committee; September 30, 2015 – CV: 5-0  
Environment and Public Works Committee; September 30, 2015 – CV: 6-0  
Ways and Means Committee; September 30, 2015 – CV: 11-0
19. Colby &  
Yolevich  
Intro. 347  
Res. 262  
25-0  
15-0285 Accepting Grant from New York State Department of Health for Early Intervention  
Program and Authorize Contract with Health Economics Group, Inc.  
Human Services Committee; September 29, 2015 – CV: 7-0  
Ways and Means Committee; September 30, 2015 – CV: 11-0
20. Colby &  
Yolevich  
Intro. 348  
Res. 263  
25-0  
15-0286 Accepting Grant from New York State Office of Temporary and Disability Assistance  
for Noncustodial Parent Employment Parent Employment Program  
Human Services Committee; September 29, 2015 – CV: 7-0  
Ways and Means Committee; September 30, 2015 – CV: 11-0
21. Colby &  
Yolevich  
Intro. 349  
Res. 264  
25-0  
15-0287 Amending Resolution 306 of 2010 Accepting Additional Year 2011-2015 Funding from  
New York State Office of Children and Family Services and Amending Contracts with  
Private Agencies for Youth Services for 2011-2015  
Human Services Committee; September 29, 2015 – CV: 7-0  
Ways and Means Committee; September 30, 2015 – CV: 11-0
22. Marianetti &  
Yolevich  
Intro. 350  
15-0288 Authorizing Acquisition of Property Located at 674 Beahan Road, Town of Chili;  
Amending Resolution 437 of 1989 to Amend Lease and Operating Agreement with  
Monroe County Airport Authority to Add Property Commonly known as 674 Beahan  
Road, Town of Chili, New York  
*(For Introductory Purposes Only)*  
Environment and Public Works Committee; September 30, 2015 – CV: 6-0  
Ways and Means Committee; September 30, 2015 – CV: 10-1
23. Marianetti &  
Yolevich  
Intro. 351  
M. 80  
25-0  
15-0288 Providing that Resolution (Intro. No. 350 of 2015), Entitled “Authorizing Acquisition  
of Property Located at 674 Beahan Road, Town of Chili; Amending Resolution 437 of  
1989 to Amend Lease and Operating Agreement with Monroe County Airport  
Authority to Add Property Commonly known as 674 Beahan Road, Town of Chili, New  
York,” Be Tabled
24. Marianetti &  
Yolevich  
Intro. 352  
Res. 265  
25-0  
15-0288 Fixing a Public Hearing on Resolution (Intro. No. 350 of 2015), Entitled “Authorizing  
Acquisition of Property Located at 674 Beahan Road, Town of Chili; Amending  
Resolution 437 of 1989 to Amend Lease and Operating Agreement with Monroe  
County Airport Authority to Add Property Commonly known as 674 Beahan Road,  
Town of Chili, New York  
*(Public Hearing is scheduled for Tuesday, November 10, 2015 at 6:16 p.m.)*

25. Yolevich & Tucciarello  
Intro. 353  
Res. 266  
25-0
- 15-0289 Directing Correction, Cancellation and Levy of Certain Monroe County Taxes in Village of Webster  
Ways and Means Committee; September 30, 2015 – CV: 11-0
26. Yolevich & Tucciarello  
Intro. 354  
Res. 267  
25-0
- 15-0290 Directing the Refund of Certain Monroe County Taxes Levied and Collected Against Property in Town of Perinton  
Ways and Means Committee; September 30, 2015 – CV: 11-0
27. Yolevich & Tucciarello  
Intro. 355
- 15-0292 Authorizing Contract with Property Info Corporation for Installation and Operation of Integrated County Clerk's Records Management System  
Ways and Means Committee; September 30, 2015 – CV: 7-4
- Intro 356  
M. 81  
9-16 F
- Andrews/Kaleh  
Motion to Table Intro. No. 355  
*(Legislators Andrews, Bauroth, Flagler-Mitchell, Haney, Kaleh, J. Lightfoot, Morelle, Jr., Styk and Wilcox Voted in the Positive.)*
- Intro. 355  
Res. 268  
17-8
- Main Motion  
*(Legislators Andrews, Bauroth, Haney, Kaleh, J. Lightfoot, Morelle, Jr., Styk and Wilcox Voted in the Negative.)*
28. Ancello & Yolevich  
Intro. 357  
Res. 269  
25-0
- 15-0294 Accepting Grant from New York State Division of Criminal Justice Services for Domestic Violence Bureau in District Attorney's Office  
Public Safety Committee; September 29, 2015 – CV: 6-0  
Ways and Means Committee; September 30, 2015 – CV: 11-0
- Matters of Urgency*
29. Valerio & Yolevich  
Intro. 358  
Res. 270  
25-0
- 15-0296 Amending Resolution 289 of 2010 as Amended by Resolution 437 of 2014 to Extend License and Operating Agreement with Seneca Park Zoo Society
30. Valerio & Yolevich  
Intro. 359  
Res. 271  
25-0
- 15-0297 Authorizing Intermunicipal Agreement with Town of Sweden for the Town to Operate its Dog Park in Conformity with Monroe County Parks Law and to Authorize Reciprocal Benefits for Monroe County and Town of Sweden Off-Leash Dog Areas
31. Marianetti & Yolevich  
Intro. 360
- 15-0298.LL Enacting a Local Law to Amend Local Law No. 3 of 1988, Sewer Use Law of Monroe County  
*(For Introductory Purposes Only)*
32. Marianetti & Yolevich  
Intro. 361  
M. 82  
25-0
- 15-0298.LL Providing that Local Law (Intro. No. 360 of 2015), Entitled "Enacting a Local Law to Amend Local Law No. 3 of 1988, Sewer Use Law of Monroe County," Be Tabled
33. Marianetti & Yolevich  
Intro. 362  
Res. 272  
25-0
- 15-0298.LL Fixing a Public Hearing on Local Law (Intro. No. 360 of 2015), Entitled "Enacting a Local Law to Amend Local Law No. 3 of 1988, Sewer Use Law of Monroe County"  
*(Public Hearing is scheduled for Tuesday, November 10, 2015 at 6:17 p.m.)*

- |  |         |   |
|--|---------|---|
| 34. Howland &<br>Ancello<br>Intro. 363                     | 15-0300 | Eight-Year Review of the Monroe County Eastern Agricultural District #6<br><i>(For Introductory Purposes Only)</i>  |
| 35. Howland &<br>Ancello<br>Intro. 364<br>M. 83<br>25-0    | 15-0300 | Providing that Resolution (Intro. No. 363 of 2015), Entitled "Eight-Year Review of Monroe County Eastern Agricultural District #6." Be Tabled   |
| 36. Howland &<br>Ancello<br>Intro. 365<br>Res. 273<br>25-0 | 15-0300 | Fixing a Public Hearing on Resolution (Intro. No. 363 of 2015), Entitled "Eight-Year Review of Monroe County Eastern Agricultural District #6"<br><i>(Public Hearing is scheduled for Monday, November 16, 2015 at 5:00 p.m.)</i> |

*Note: President Adair recognized and congratulated County Executive Maggie Brooks on being named the new President of the New York State Association of Counties.*

---

**UNFINISHED BUSINESS**

None

---

Upon Motion by Legislator Tucciarello, the Legislature Adjourned at 7:40 p.m. until **Tuesday, November 10, 2015 at 6:00 P.M.**

**JAMIE L. SLOCUM**  
Clerk of the Legislature