

**SIXTH DAY**

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**TUESDAY, May 8, 2012**

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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, 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

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Meeting formally opened. At the invitation of Legislator Karla Boyce, Father James Coughlin of McQuaid Jesuit High School delivered the invocation. The Pledge of Allegiance to the Flag was led by Legislator E. Daniel Quatro.

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**APPROVAL OF MINUTES**

Without objection, the Journal of the Session of Day 5, April 17, 2012 was approved as submitted.

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**PETITIONS AND COMMUNICATIONS**

NONE

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Vice-President Barker recognized Mark Quinn, Horticulturalist for the Parks Department, who introduced the Plant of the Month, the *Dappled Willow* to the Legislature.

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**PROCLAMATIONS**

**By the President of the Legislature — Jeffrey R. Adair**

**Recognized Jointly with Legislators Debbie Drawe and E. Daniel Quatro, “The Penfield Girls Varsity Basketball Team” on a 24-1 season and winning the Section V Class AAA Championship.**

Read and Filed.

**Recognized Jointly with Legislators Richard Yolevich, Mike Rockow and Robert J. Colby, “Chet Fery” on his generosity in giving away 20,000 loaves of bread.**

Read and Filed.

**Recognized Jointly with Legislator Carmen F. Gumina “Heiko Rommelmann” on his many Judo accomplishments.**

Read and Filed.

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**RECESS**

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

Amending Monroe County Code Related to the Composition of the Solid Waste Reuse and Recycling Law Advisory Committee. No speakers addressed the Legislature and the hearing concluded at 6:24 P.M.

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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. Nine speakers addressed the Legislature and the Open Forum concluded at 6:57 P.M.

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### IN MEMORIAM

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| 32. Daniele &<br>O'Brien<br>Intro. 177<br>Res. 133<br>29-0 | 12-0187 | Expressing Regret Of the Monroe County Legislature on the Recent Passing of United States Army Captain Bruce Kevin Clark |
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### CONSIDERATION OF LOCAL LAWS

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|---|---------|---|
| 1. Boyce &<br>McCann<br>Intro. 178<br>M. 41<br>29-0 | 12-0113 | Providing that Local Law (Intro. No. 117 of 2012), Entitled "Amending Monroe County Code Related to the Composition of the Solid Waste Reuse and Recycling Law Advisory Committee" Be Lifted from the Table |
| 2. Boyce &<br>McCann<br>Intro. 179<br>M. 42<br>29-0 | 12-0113 | Providing that Local Law (Intro. No. 117 of 2012), Entitled "Amending Monroe County Code Related to the Composition of the Solid Waste Reuse and Recycling Law Advisory Committee" Be Adopted               |
| Intro. 117<br>Local Law TBA<br>29-0                 |         | Main Motion   |
| 3. Boyce &<br>McCann<br>Intro. 180                  | 12-0140 | A Local Law Entitled "Prohibiting Cyber-Bullying in Monroe County"<br>Agenda Charter Committee; April 23, 2012 – CV: 6-0<br><i>(For Introductory Purposes Only)</i>   |

4. Boyce & McCann  
Intro. 181  
M. 43  
29-0                    12-0140    Providing that Local Law (Intro. No. 180 of 2012), Entitled “Prohibiting Cyber-Bullying in Monroe County” Be Tabled
  
5. Boyce & McCann  
Intro. 182  
Res. 134  
29-0                    12-0140    Fixing a Public Hearing on Local Law (Intro. No. 180 of 2012), Entitled “Prohibiting Cyber-Bullying in Monroe County”  
*(Public Hearing is scheduled for Tuesday, June 12, 2012 at 6:15P.M.)*

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### CONSIDERATION OF MOTIONS, RESOLUTIONS AND NOTICES

*(Note: Legislator E. Daniel Quatro Left the Chambers and was not Present for Agenda Item #8)*

6. Boyce & McCann  
Intro. 183  
Res. 135  
29-0                    12-0052    Adopting 2012 Annual Work Program for Monroe County Legislature  
Agenda Charter Committee; April 23, 2012 – CV: 6-0
  
7. Rockow & Howland  
Intro. 184  
Res. 136  
29-0                    12-0138    Appointment to Monroe County Planning Board
  
8. Howland & Ancello  
Intro. 185  
Res. 137  
28-0                    12-0139    Confirming Reappointments to the Monroe County Soil and Water Conservation Board
  
9. Hanna & Yolevich  
Intro. 186  
Res. 138  
29-0                    12-0147    Accepting Grant from New York State Division of Criminal Justice Services for NIBIN Workstation Program  
Public Safety Committee; April 23, 2012 – CV: 9-0  
Ways and Means Committee; April 25, 2012 – CV: 11-0
  
10. Gumina, Hanna & Yolevich  
Intro. 187  
Res. 139  
26-3                    12-0148    Authorizing Intermunicipal Agreement with Town of Penfield for Purchase of Fuel for Vehicles of Monroe County Sheriff’s Office  
Intergovernmental Relations Committee; April 25, 2012 – CV: 5-0  
Public Safety Committee; April 23, 2012 – CV: 9-0  
Ways and Means Committee; April 25, 2012 – CV: 11-0  
*(Legislators Gamble, W. Lightfoot and Patterson voted in the negative)*
  
11. Gumina, Hanna & Yolevich  
Intro. 188  
Res. 140  
25-4                    12-0149    Authorizing Intermunicipal Agreement with Penfield Central School District for Purchase of Fuel for Vehicles of Monroe County Sheriff’s Office  
Intergovernmental Relations Committee; April 25, 2012 – CV: 5-0  
Public Safety Committee; April 23, 2012 – CV: 9-0  
Ways and Means Committee; April 25, 2012 – CV: 11-0  
*(Legislators Gamble, Haney, W. Lightfoot and Patterson voted in the negative)*

Daniele/O'Brien  
Move Agenda Items 13-31 As A Whole

- Intro. 189  
M. 44  
29-0
12. Hanna & Yolevich  
Intro. 190  
Res. 141  
29-0
- 12-0150 Accepting Grant from New York State Governor's Traffic Safety Committee for NY STOP-DWI Foundation High Visibility Road Check Project  
Public Safety Committee; April 23, 2012 – CV: 9-0  
Ways and Means Committee; April 25, 2012 – CV: 11-0
13. Hanna & Yolevich  
Intro. 191  
Res. 142  
29-0
- 12-0151 Accepting Grant from New York State Governor's Traffic Safety Committee for NY STOP-DWI Foundation Drug Recognition Expert Call Outs Program  
Public Safety Committee; April 23, 2012 – CV: 9-0  
Ways and Means Committee; April 25, 2012 – CV: 11-0
14. Gumina, Hanna & Yolevich  
Intro. 192  
Res. 143  
29-0
- 12-0152 Authorizing Intermunicipal Agreement with City of Rochester to Share Costs to Install and Maintain Generator at City of Rochester Fire Department Facility Located at 1205 N. Clinton Avenue  
Intergovernmental Relations Committee; April 25, 2012 – CV: 5-0  
Public Safety Committee; April 23, 2012 – CV: 9-0  
Ways and Means Committee; April 25, 2012 – CV: 11-0
15. Valerio & Yolevich  
Intro. 193  
Res. 144  
29-0
- 12-0153 Adopting Resolution to Approve and Endorse Application of Seneca Park Zoo Society for New York State Environmental Protection Fund Grant for Education Complex at Seneca Park Zoo; Accepting Gift from Seneca Park Zoo Society for Design and Construction of an Education Complex at Seneca Park Zoo; Authorizing Contract with Seneca Park Zoo Society for Acceptance of Improvements  
Recreation and Education Committee; April 24, 2012 – CV: 5-0  
Ways and Means Committee; April 25, 2012 – CV: 11-0
16. Boyce & Valerio, Yolevich  
Intro. 194  
Res. 145  
29-0
- 12-0154 Authorizing Contract with Environmental Design & Research, Landscape Architecture and Engineering, P.C. for Professional Engineering Services for Mendon Ponds Park Master Plan Improvements Project  
Recreation and Education Committee; April 24, 2012 – CV: 5-0  
Ways and Means Committee; April 25, 2012 – CV: 11-0
17. Colby & Yolevich  
Intro. 195  
Res. 146  
29-0
- 12-0155.br Resolution Authorizing the Issuance of \$1,419,000 Bonds of the County of Monroe, New York, to Finance the Cost of the Replacement of Edgemere Drive Bridge over Round Pond Outlet (BIN 3211130), in and for said County, at an Estimated Maximum Cost of \$1,419,000, and Superseding the Bond Resolution Adopted on December 14, 2010 (Resolution No. 352 of 2010)  
Transportation Committee; April 24, 2012 – CV: 7-0  
Ways and Means Committee; April 25, 2012 – CV: 11-0
18. Colby & Yolevich  
Intro. 196  
Res. 147  
29-0
- 12-0156.br Resolution Authorizing the Issuance of \$10,355,000 Bonds of the County of Monroe, New York, to Finance the Cost of the Reconstruction of Jefferson Avenue Between Ayrault Road and NY Route 31F in and for said County, at an Estimated Maximum Cost of \$10,355,000, and Superseding the Bond Resolution Adopted on January 11, 2011 (Resolution No. 34 of 2011)  
Transportation Committee; April 24, 2012 – CV: 7-0  
Ways and Means Committee; April 25, 2012 – CV: 11-0

19. Colby & Yolevich  
Intro. 197  
Res. 148  
29-0  
12-0157 Authorizing Department of Transportation to Advertise for Bids for Intelligent Transportation System Camera and Dynamic Message Sign Deployment Project, Phase III  
Transportation Committee; April 24, 2012 – CV: 7-0  
Ways and Means Committee; April 25, 2012 – CV: 11-0
20. Valerio & Gumina,  
Colby,  
Yolevich,  
Tucciarello  
Intro. 198  
Res. 149  
29-0  
12-0158 Authorizing Advertisement for Bids; Authorizing Intermunicipal Agreement with Town of Chili in Conjunction with Paul Road/Fisher Road Corridor Project in Town of Chili  
Intergovernmental Relations Committee; April 25, 2012 – CV: 5-0  
Transportation Committee; April 24, 2012 – CV: 7-0  
Ways and Means Committee; April 25, 2012 – CV: 11-0
21. Colby & Yolevich  
Intro. 199  
Res. 150  
29-0  
12-0159 Authorizing Contract with Villager Construction, Inc., for Construction Services for Preventative Maintenance – Highways Program Project, Phase II  
Transportation Committee; April 24, 2012 – CV: 7-0  
Ways and Means Committee; April 25, 2012 – CV: 11-0
22. Yolevich & Gumina  
Intro. 200  
Res. 151  
29-0  
12-0160 Authorizing Acquisition of Interest in Real Property for Intelligent Transportation System Camera and Dynamic Message Sign Deployment Project, Phase III in Town of Greece  
Ways and Means Committee; April 25, 2012 – CV: 11-0
23. Drawe & Yolevich  
Intro. 201  
Res. 152  
29-0  
12-0161 Amending Resolution 306 of 2011 to Accept Additional Funding from New York State Office of Temporary and Disability Assistance for 2011-2012 Home Energy Assistance Program  
Human Services Committee; April 24, 2012 - CV: 8-0  
Ways and Means Committee; April 25, 2012 – CV: 11-0
24. Drawe & Yolevich  
Intro. 202  
Res. 153  
29-0  
12-0162 Accepting Grant from Health Research, Inc. for Ryan White Part B Emerging Communities Initiative Program; Authorizing Contract with University of Rochester  
Human Services Committee; April 24, 2012 - CV: 8-0  
Ways and Means Committee; April 25, 2012 – CV: 11-0
25. Gumina,  
Drawe &  
Yolevich  
Intro. 203  
Res. 154  
29-0  
12-0163 Accepting Grant from New York State Department of Health; Authorizing Intermunicipal Agreement with City of Rochester and Contracts with Schneider Laboratories Global, Inc., Cornell University and Catholic Family Center for Childhood Lead Primary Prevention Program  
Intergovernmental Relations Committee; April 25, 2012 – CV: 5-0  
Human Services Committee; April 24, 2012 - CV: 8-0  
Ways and Means Committee; April 25, 2012 – CV: 11-0
26. Howland & Yolevich  
Intro. 204  
Res. 155  
29-0  
12-0164 Authorizing Contract with CHA Consulting, Inc., for Design Services for Construct New Taxiway “P” from Runway 10-28 to Taxiway “F” Project at Greater Rochester International Airport  
Environment and Public Works Committee; April 25, 2012 – CV: 7-0  
Ways and Means Committee; April 25, 2012 – CV: 11-0

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| 27. Yolevich & Gumina<br>Intro. 205<br>Res. 156<br>29-0 | 12-0165 | Authorizing Sale of County Owned Tax Foreclosure Property Located at 46 Erie Station Road in Town of Henrietta<br>Ways and Means Committee; April 25, 2012 – CV: 11-0  |
| 28. Yolevich & Gumina<br>Intro. 206<br>Res. 157<br>29-0 | 12-0166 | Directing Correction, Cancellation and Levy of Certain Monroe County Taxes in Town of Gates<br>Ways and Means Committee; April 25, 2012 – CV: 11-0   |
| 29. Yolevich & Gumina<br>Intro. 207<br>Res. 158<br>29-0 | 12-0167 | Directing the Refund of Certain Monroe County Taxes Levied and Collected Against Property in City of Rochester<br>Ways and Means Committee; April 25, 2012 – CV: 11-0  |
| 30. Yolevich & Gumina<br>Intro. 208<br>Res. 159<br>29-0 | 12-0168 | Accepting Grant from New York State Board of Elections for Voting Access for Individuals with Disabilities Polling Place Access Improvement Program<br>Ways and Means Committee; April 25, 2012 – CV: 11-0   |
| 31. Rockow & Howland<br>Intro. 209<br>Res. 160<br>29-0  | 12-0169 | Authorizing Monroe County to Act as Lead Municipality to Submit an Application on Behalf of Finger Lakes Region to New York State Energy and Research Development Authority for Funding for the Cleaner, Greener Communities Regional Sustainability Planning Program for the Development of Regional Sustainability Plan<br>Planning and Economic Development Committee; April 23, 2012 – CV: 5-0 |

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**UNFINISHED BUSINESS**

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Upon Motion by Legislator Anthony Daniele, the Legislature adjourned at 6:57 p.m. until Tuesday, June 12, 2012 at 6:00 p.m.

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