

## TWELFTH DAY

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TUESDAY, November 13, 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, Aldersley, Ancello, Andrews, Antelli, Barker, Bauroth, Boyce, Colby, Daniele, Drawe, 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 Deborah Drawe, Father Bob Kreckel from St. Joseph's Church in Penfield delivered the invocation. The Pledge of Allegiance to the Flag was led by Legislator Michael G. Barker.

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### IN MEMORIAM

29. Daniele & O'Brien Intro. 324 Res. 249 29-0	12-0360	Expressing Regret of the Monroe County Legislature on the Recent Passing of Carl Richard "Rick" Gumina, Brother of Legislator Carmen Gumina Matter of Urgency
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### APPROVAL OF MINUTES

Without objection, the Journal of the Session of Day 11, October 9, 2012 was approved as submitted.

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### PETITIONS AND COMMUNICATIONS

*Note:* County Executive Maggie Brooks addressed the Legislature on the Proposed 2013 Annual Monroe County Budget.

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

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### PROCLAMATIONS

By the President of the Legislature — Jeffrey R. Adair

Recognized Jointly with Legislators Michael G. Barker and Ciaran T. Hanna, "RV&E Bike and Skate" for celebrating its 40<sup>th</sup> anniversary.

Read and Filed.

Recognized Jointly with Legislators Karla F. Boyce and Cynthia Kaleh, "UA Local 13" for organizing a successful 2012 "Heat's On" program.

Read and Filed.

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**RECESS**

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

“Approving Old Scottsville-Chili Road & Beaver Road Gates-Chili-Ogden Sewer District Extension”. No speakers addressed the Legislature and the hearing concluded at 6:32 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. Twenty One speakers addressed the Legislature and the Open Forum concluded at 7:20 P.M.

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**RECESS**

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

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**MOTIONS, RESOLUTIONS AND NOTICES**

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|---|---------|---|
| Daniele &<br>O'Brien<br>Intro. 325<br>M. 70<br>29-0                 |         | Motion to Move Agenda Items 1-28 As a Whole Except Items 5 and 13   |
| 1. Howland &<br>Yolevich<br>Intro. 326<br>M. 71<br>29-0             | 12-0273 | Providing that Resolution (Intro No. 318 of 2012), Entitled “Approving Old Scottsville-Chili Road & Beaver Road Gates-Chili-Ogden Sewer District Extension,” Be Lifted from the Table |
| 2. Howland,<br>Valerio &<br>Yolevich<br>Intro. 327<br>M. 72<br>29-0 | 12-0273 | Providing that Resolution (Intro No. 318 of 2012), Entitled “Approving Old Scottsville-Chili Road & Beaver Road Gates-Chili-Ogden Sewer District Extension,” Be Adopted               |
| Intro. 318<br>Res. 250<br>29-0                                      |         | Main Motion   |

3. Hanna, Yolevich & J. Lightfoot  
Intro. 328  
Res. 251  
29-0  
12-0279 Establishing the “Yellow Dot” Program in Monroe County  
Public Safety Committee; October 22, 2012 – CV: 8-0  
Ways and Means Committee; October 24, 2012 – CV: 11-0
4. Valerio & Drawe  
Intro. 329  
Res. 252  
29-0  
12-0280 Reappointments to Monroe Community College Board of Trustees
5. Hanna & Yolevich  
Intro. 330  
Res. 253  
29-0  
12-0285 Accepting Grant from New York State Division of Criminal Justice Services for Juvenile Accountability Block Grant, Arts and Technology Program; Authorizing Contract with Kuumba Construction  
Public Safety Committee; October 22, 2012 – CV: 8-0  
Ways and Means Committee; October 24, 2012 – CV: 11-0
6. Hanna & Yolevich  
Intro. 331  
Res. 254  
29-0  
12-0286 Accepting Grant from United States Department of Justice, Office of Justice Programs, for 2012 Forensic DNA Backlog Reduction Program  
Public Safety Committee; October 22, 2012 – CV: 8-0  
Ways and Means Committee; October 24, 2012 – CV: 11-0
7. Hanna & Yolevich  
Intro. 332  
Res. 255  
29-0  
12-0287 Accepting Grant from New York State Division of Criminal Justice Services for 2012-2013 Aid to Crime Laboratories Program (Monroe County Crime Laboratory)  
Public Safety Committee; October 22, 2012 – CV: 8-0  
Ways and Means Committee; October 24, 2012 – CV: 11-0
8. Hanna & Yolevich  
Intro. 333  
Res. 256  
29-0  
12-0288 Accepting Grant from New York State Division of Homeland Security and Emergency Services for State Law Enforcement Terrorism Prevention Program  
Public Safety Committee; October 22, 2012 – CV: 8-0  
Ways and Means Committee; October 24, 2012 – CV: 11-0\
9. Hanna & Yolevich  
Intro. 334  
Res. 257  
29-0  
12-0289 Accepting Grant from New York State Division of Homeland Security and Emergency Services for State Homeland Security Program; Authorizing Contracts with Monroe Community College and University of Rochester  
Public Safety Committee; October 22, 2012 – CV: 8-0  
Ways and Means Committee; October 24, 2012 – CV: 11-0
10. Hanna & Yolevich  
Intro. 335  
Res. 258  
29-0  
12-0290 Authorizing Contract with University of Rochester for Emergency Medical Services Training  
Public Safety Committee; October 22, 2012 – CV: 8-0  
Ways and Means Committee; October 24, 2012 – CV: 11-0
11. Hanna & Yolevich  
Intro. 336  
Res. 259  
29-0  
12-0291 Authorizing Contract with Nancy E. Abrams, PhD for the Review and Evaluation of the Promotional Procedures of the Monroe County Sheriff’s Office as They Relate to the Civil Service System  
Public Safety Committee; October 22, 2012 – CV: 8-0  
Ways and Means Committee; October 24, 2012 – CV: 11-0

12. Hanna & Yolevich  
Intro. 337  
Res. 260  
29-0  
12-0292 Authorizing Contract with Arthritis Foundation for Traffic and Crowd Control Provided by Monroe County Sheriff's Office for 2012 MVP Health Care Rochester Marathon  
Public Safety Committee; October 22, 2012 – CV: 8-0  
Ways and Means Committee; October 24, 2012 – CV: 11-0
13. Gumina, Hanna & Yolevich  
Intro. 338  
Res. 261  
28-1  
12-0293 Authorizing Intermunicipal Agreement with Spencerport Central School District for Purchase of Fuel for Vehicles of Monroe County Sheriff's Office  
Intergovernmental Relations Committee; October 24, 2012 – CV: 4-0  
Public Safety Committee; October 22, 2012 – CV: 8-0  
Ways and Means Committee; October 24, 2012 – CV: 11-0  
*(Legislator Patterson Voted in the Negative)*
14. Gumina, Hanna & Yolevich  
Intro. 339  
Res. 262  
29-0  
12-0294 Authorizing Intermunicipal Agreement with City of Rochester Regarding City of Rochester's Use of Monroe County Jail for Detention of Non-Arraigned Detainees and Arrestees  
Intergovernmental Relations Committee; October 24, 2012 – CV: 4-0  
Public Safety Committee; October 22, 2012 – CV: 8-0  
Ways and Means Committee; October 24, 2012 – CV: 11-0
15. Colby & Yolevich  
Intro. 340  
Res. 263  
29-0  
12-0295 Authorizing Contract with M.L. Caccamise Electric Corporation for Construction Services for Phase III of Intelligent Transportation System Camera and Systems Integration Project  
Transportation Committee; October 23, 2012 – CV: 6-0  
Ways and Means Committee; October 24, 2012 – CV: 11-0
16. Colby & Yolevich  
Intro. 341  
Res. 264  
29-0  
12-0296 Authorizing Advertisement for Bids for Twin Bridge Road Bridge over Oatka Creek Project in Town of Wheatland  
Transportation Committee; October 23, 2012 – CV: 6-0  
Ways and Means Committee; October 24, 2012 – CV: 11-0
17. Drawe & Yolevich  
Intro. 342  
Res. 265  
29-0  
12-0297 Amending Resolution 152 of 2012 to Accept Additional Funding from New York State Office of Temporary and Disability Assistance for 2011-2012 Home Energy Assistance Program  
Human Services Committee; October 22, 2012 – CV: 8-0  
Ways and Means Committee; October 24, 2012 – CV: 11-0
18. Drawe & Yolevich  
Intro. 343  
Res. 266  
29-0  
12-0298 Accepting Grant from United States Department of Justice, National Institute of Justice, for Paul Coverdell Forensic Science Improvement Program (Medical Examiner's Office)  
Human Services Committee; October 22, 2012 – CV: 8-0  
Ways and Means Committee; October 24, 2012 – CV: 11-0
19. Drawe & Yolevich  
Intro. 344  
Res. 267  
29-0  
12-0299 Accepting Grant from New York State Division of Criminal Justice Services for 2012-2013 Aid to Crime Laboratories Program (Medical Examiner's Office)  
Human Services Committee; October 22, 2012 – CV: 8-0  
Ways and Means Committee; October 24, 2012 – CV: 11-0
20. Drawe & Yolevich  
Intro. 345  
Res. 268  
29-0  
12-0300 Accepting Grant from New York State Department of Health for Sexually Transmitted Disease Intervention Program  
Human Services Committee; October 22, 2012 – CV: 8-0  
Ways and Means Committee; October 24, 2012 – CV: 11-0

21. Howland & Yolevich  
Intro. 346  
Res. 269  
29-0  
12-0301 Adopting Resolution Authorizing Filing of an Application; Acceptance of Grant; Authorizing Contract for State of New York Grant-in-Aid for Municipal Waste Reduction and/or Recycling Project  
Environment and Public Works Committee; October 24, 2012 – CV: 7-0  
Ways and Means Committee; October 24, 2012 – CV: 11-0
22. Howland & Ancello  
Intro. 347  
Res. 270  
29-0  
12-0302 Authorizing Lease Agreement with Monroe County Soil and Water Conservation District to Locate their Offices at Monroe County Fleet Center  
Environment and Public Works Committee; October 24, 2012 – CV: 7-0
23. Yolevich & Gumina  
Intro. 348  
Res. 271  
29-0  
12-0303 Directing the Refund of Certain Monroe County Taxes Levied and Collected Against Property in Town of East Rochester  
Ways and Means Committee; October 24, 2012 – CV: 11-0
24. Yolevich & Gumina  
Intro. 349  
Res. 272  
29-0  
12-0304 Directing Correction, Cancellation and Levy of Certain Monroe County Taxes in City of Rochester  
Ways and Means Committee; October 24, 2012 – CV: 11-0
25. Howland & Yolevich  
Intro. 350  
Res. 273  
29-0  
12-0305 Authorizing Contract with Malcom Pirnie, Inc. for Professional Engineering Services for County-Wide Stormwater Master Plan Project  
Environment and Public Works Committee; October 24, 2012 – CV: 7-0  
Ways and Means Committee; October 24, 2012 – CV: 11-0
26. Hanna & Yolevich  
Intro. 351  
Res. 274  
29-0  
12-0307 Accepting Grant from New York State Division of Criminal Justice Services for 2012 Paul Coverdell Forensic Sciences Improvement Program (Monroe County Crime Lab)  
Public Safety Committee; October 22, 2012 – CV: 8-0  
Ways and Means Committee; October 24, 2012 – CV: 11-0
27. Drawe & Yolevich  
Intro. 352  
Res. 275  
29-0  
12-0308 Accepting Grant from United States Department of Health and Human Services, Substance Abuse and Mental Health Services Administration, for System of Care Expansion Amending Resolution 296 of 2011 to Increase Contract with Coordinated Care Services, Inc.  
Human Services Committee; October 22, 2012 – CV: 8-0  
Ways and Means Committee; October 24, 2012 – CV: 11-0  
*(Legislator Boyce declared her interest with permission from the President.)*
28. Gumina, Howland & Yolevich  
Intro. 353  
Res. 276  
29-0  
12-0309 Amending Resolution 123 of 2012 to Increase the Amount of Intermunicipal Agreement Among Monroe County, Village of Scottsville, Town of Wheatland and Irondequoit Bay South Central Pure Waters District; Authorize Contract with Blue Heron Construction Company LLC, for Construction Services for Irondequoit Bay South Central Pure Waters District Riverton Force Main Replacement Project  
Intergovernmental Relations Committee; October 24, 2012 – CV: 4-0  
Environment and Public Works Committee; October 22, 2012 – CV: 7-0  
Ways and Means Committee; October 24, 2012 – CV: 11-0

Matters of Urgency

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|--|---------|--|
| 30. Howland & Yolevich<br>Intro. 354                     | 12-0362 | Confirming And Adopting Assessment Rolls Of Pure Waters Sewer Districts For 2013 And Confirmation And Adoption Of Assessment Rolls<br>Matter Of Urgency<br><i>(For Introductory Purposes Only)</i>   |
| 31. Howland & Yolevich<br>Intro. 355<br>M. 73<br>29-0    | 12-0362 | Providing that Resolution (Intro. No. 354 of 2012), Entitled "Confirming And Adopting Assessment Rolls of Pure Waters Districts For 2013 And Confirmation And Adoption Of Assessment Rolls," Be Tabled<br>Matter Of Urgency  |
| 32. Howland & Yolevich<br>Intro. 356<br>Res. 277<br>29-0 | 12-0362 | Fixing Public Hearing on Resolution (Intro. No. 354 of 2012), Entitled "Confirming And Adopting Assessment Rolls Of Pure Waters Districts For 2013 And Confirmation Of Assessment Rolls<br>Matter Of Urgency<br><i>(Public Hearing is scheduled for Thursday, December 6, 2012 at 5:31 P.M. before the Ways and Means Committee)</i>   |
| 33. Howland & Yolevich<br>Intro. 357<br>Res. 278<br>29-0 | 12-0363 | Authorizing Contract with Waste Management of New York, L.L.C. for Operation & Maintenance of Monroe County Recycling Center and Program<br>Matter of Urgency  |
| 34. Yolevich & Gumina<br>Intro. 358                      | 12-0364 | Adoption of Monroe County Annual Budget for the Year 2013 and Establishing 2013 Monroe County Classification, Compensation and Salary Schedule for Monroe County Employees<br>Matter Of Urgency<br><i>(For Introductory Purposes Only)</i>   |
| 35. Yolevich & Gumina<br>Intro. 359<br>M. 74<br>29-0     | 12-0364 | Providing that Resolution (Intro. No. 358 of 2012), Entitled "Adoption of Monroe County Annual Budget for the Year 2013 and Establishing 2013 Monroe County Classification, Compensation and Salary Schedule for Monroe County Employees," Be Tabled<br>Matter Of Urgency  |
| 36. Yolevich & Gumina<br>Intro. 360<br>Res. 279<br>29-0  | 12-0364 | Fixing Public Hearing on Resolution (Intro. No. 358 of 2012), Entitled "Adoption of Monroe County Annual Budget for the Year 2013 and Establishing 2013 Monroe County Classification, Compensation and Salary Schedule for Monroe County Employees"<br>Matter Of Urgency<br><i>(Public Hearing is scheduled for Thursday, December 6, 2012 at 5:35 P.M. before the Ways and Means Committee)</i> |

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**UNFINISHED BUSINESS**

President Adair congratulated Minority Leader Ted O'Brien on his recent successful campaign for New York State Senate.

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Upon Motion by Legislator Daniele, the Legislature adjourned at 7:33 p.m. until Tuesday, December 11, 2012 at 6:00 p.m.

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