

FOURTH DAY

DRAFT

TUESDAY, April 14, 2015

Legislature met pursuant to adjournment.

President Jeffrey R. Adair in the Chair.

ROLL CALL

Present – Legislators Adair, Bauroth, Carbone, Colby, Delehanty, Daniele, Drawe, Flagler-Mitchell, Gumina, Haney, Howland, Kaleh, J. Lightfoot, W. Lightfoot, Marianetti, Micciche, Morelle, Jr., Quatro, Rockow, Styk, Taylor, Tucciarello, Valerio, Wilcox, Yolevich – 25

Absent – Legislators Ancello, Andrews, Boyce, Gamble – 4

Note: Legislators Ancello, Andrews and Boyce entered the chambers and were present for the remainder of the meeting.

The meeting formally opened. At the invitation of Legislator Joe Morelle, Jr., Reverend Patrina Freeman of the New Direction Christian Ministries delivered the invocation. The Pledge of Allegiance to the Flag was led by Legislator Cynthia Kaleh.

APPROVAL OF MINUTES

Without objection, the Journal of Day 3, March 10, 2015 session 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 *Pansy* to the Legislature.

PROCLAMATIONS

By the President of the Legislature – Jeffrey R. Adair

Recognized jointly with County Executive Brooks and Legislator Boyce, the “Badge of Honor Association” for its outstanding service to the citizens of Monroe County. The Association is comprised of dedicated law enforcement agencies who work diligently to help raise funds to honor fallen members of the Emergency Service Community. Read and Filed.

Recognized jointly with Legislator Rockow, the “Brockport Blue Devils Ice Hockey Team” for being upstanding role models in the Brockport community and for their tremendous success winning the 2015 Class B Sectional Championship. Read and Filed.

Recognized jointly with Legislators Boyce and Howland, the "Rush-Henrietta Varsity 1600 Meter Sprint Relay Team" for their hard work and determination in not only beating their own Section V record but also breaking the national record that has been held since 2002.

Read and Filed.

Recognized jointly with Legislator Rockow, the "Brockport Varsity 200 Freestyle Relay" consisting of Nick Olsen, Nathaniel Bartalo, Brandon Amthor and Joe Williams, for working hard all season to develop their endurance and teamwork leading to an impressive feat of strength, breaking a 12-year Section V record. In addition these young men also succeeded in breaking personal and Section V records in their individual events.

Read and Filed.

Recognized jointly with Legislator Bauroth, the "South Wedge Planning Committee" led by Director John Page, Eileen Thomas and Nancy O'Donnell, a group working together to preserve the South Wedge Urban Village and build a stronger community where residents feel safe and connected to their neighbors.

Read and Filed.

FORMAL COMMITTEE REPORTS

None

PUBLIC FORUM

An Open Forum was conducted to allow speakers to address the Legislature. There were four speakers and the Open Forum concluded at 6:32 P.M.

Note: Legislator Quatro exited the chambers and was absent for the remainder of the meeting.

RECESS

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

MOTIONS, RESOLUTIONS AND NOTICES

- | | | |
|--|---------|---|
| Intro. 140
M. 33
27-0 | | Tucciarello/Andrews
Motion to Move the Agenda as a Whole with the Exception of Items 5, 12, 13, 27, 28 |
| 1. Ancello &
Yolevich
Intro. 141
Res. 107
27-0 | 15-0093 | Authorizing Contract with Jay A. Supnick, Ph.D., d/b/a Law Enforcement Psychological Associates for Pre-Employment Psychiatric and Psychological Testing of Deputy Sheriff Candidates and Post-Hire Evaluations of Employees
Public Safety Committee; March 23, 2015 – CV: 8-0
Ways and Means Committee; March 25, 2015 – CV: 10-0 |
| 2. Marianetti,
Micciche &
Yolevich
Intro. 142
Res. 108
27-0 | 15-0094 | Accepting Environmental Protection Fund Round 11 Grant from New York State Department of Environmental Conservation and Authorizing Intermunicipal Agreements with Village of East Rochester and Towns of Henrietta and Irondequoit as Sub-Awards of Environmental Protection Fund Round 11 Grant
Environment and Public Works Committee; March 23, 2015 – CV: 7-0
Intergovernmental Relations Committee; March 25, 2015 – CV: 5-0
Ways and Means Committee; March 25, 2015 – CV: 10-0 |

3. Marianetti & Yolevich
Intro. 143
Res. 109
27-0
- 15-0095 Authorizing Lease Agreement with Monroe County Soil and Water Conservation District and Authorizing Contract for Stormwater Management Consulting Services Environment and Public Works Committee; March 23, 2015 – CV: 7-0 Ways and Means Committee; March 25, 2015 – CV: 10-0
4. Marianetti & Yolevich
Intro. 144
Res. 110
27-0
- 15-0096 Authorizing Contract with CHA Consulting, Inc. for Professional Engineering Services for Frontier Field Stadium Renovation Project Environment and Public Works Committee; March 23, 2015 – CV: 7-0 Ways and Means Committee; March 25, 2015 – CV: 10-0
5. Marianetti & Yolevich
Intro. 145
- 15-0097 Authorizing Contract with Clark Patterson Lee for Professional Engineering Services for Civic Center Reconstruction Project Environment and Public Works Committee; March 23, 2015 – CV: 7-0 Ways and Means Committee; March 25, 2015 – CV: 10-0
- Intro. 146
M. 34
Out of Order
- Haney/Bauroth (*Amendment 1*)
Motion to Amend Referral 15-0097 as follows:

To Amend the language in the contract referenced in Referral #15-0097, "Authorize a Contract with Clark Patterson Lee for Professional Engineering Services for the Civic Center Complex Reconstruction Project," to include the following assessment requirement to fulfill the contract:

1. Such engineering services shall include an analysis of the feasibility and cost of separating the steam service in the Civic Center Garage, LDC from the steam service in the Civic Center Complex, or of billing Civic Center Garage, LDC for the steam provided to it by the County of Monroe.

Added Language is underlined
Deleted Language is ~~stricken~~

President Adair ruled that Intro. No. 146 was Out of Order. Legislator Haney Appealed the Ruling of the President and Legislator Andrews Seconded the motion. A vote was taken and the Ruling of the President was Sustained by the following vote:

Ayes - Legislators Tucciarello, Ancello, Boyce, Carbone, Colby, Daniele, Delehanty, Drawe, Gumina, Howland, Marianetti, Mícciche, Rockow, Taylor, Valerio, Yolevich, and President Adair – 17

Noes - Legislators Andrews, Bauroth, Flagler-Mitchell, Haney, Kaleh, J. Lightfoot, W. Lightfoot, Morelle, Jr., Styk and Wilcox – 10

Intro. 145
Res. 111
17-10

Main Motion
(*Legislators Andrews, Bauroth, Flagler-Mitchell, Haney, Kaleh, J. Lightfoot, W. Lightfoot, Morelle, Jr., Styk and Wilcox Voted in the Negative.*)

6. Marianetti & Yolevich
Intro. 147
Res. 112
27-0
- 15-0098 Amending 2015-2020 Capital Improvement Program to Expand Scope and Increase Project Authorization of Mill Seat Landfill Gas Plant 2 Project Environment and Public Works Committee; March 23, 2015 – CV: 7-0 Ways and Means Committee; March 25, 2015 – CV: 10-0
7. Marianetti & Yolevich
Intro. 148
Res. 113
27-0
- 15-0098.br Resolution Authorizing the Issuance of \$11,000,000 Bonds of the County of Monroe, New York, To Finance the Cost of Planning, Design and Construction of the Proposed Mill Seat Landfill Gas Plant 2 Project In and for Said County, At an Estimated Maximum Cost of \$11,000,000 and Superseding the Bond Resolution Adopted on May 10, 2011 (Resolution No. 158 of 2011)

8. Boyce & Yolevich
Intro. 149
Res. 114
27-0 15-0099 Authorizing Contract with Popli Design Group For General Engineering Term Services
Transportation Committee; March 24, 2015 – CV: 7-0
Ways and Means Committee; March 25, 2015 – CV: 10-0
9. Boyce & Yolevich
Intro. 150
Res. 115
27-0 15-0100 Authorizing Contract with LaBella Associates, D.P.C. for Engineering Services for
Expressway Lighting Condition Assessment in County of Monroe
Transportation Committee; March 24, 2015 – CV: 7-0
Ways and Means Committee; March 25, 2015 – CV: 10-0
10. Boyce & Yolevich
Intro. 151
Res. 116
27-0 15-0101 Authorizing Contract with Hunt Engineers, Architects, Land Surveyors & Landscape
Architects, P.C. for Engineering Services for Rehabilitation of Monroe County Regional
Traffic Operations Center
Transportation Committee; March 24, 2015 – CV: 7-0
Ways and Means Committee; March 25, 2015 – CV: 10-0
11. Boyce & Yolevich
Intro. 152
Res. 117
27-0 15-0102 Authorizing Contract with Keeler Construction Co., Inc. for Construction Services for
Highway Preventive Maintenance 1 Project in Towns of Brighton, East Rochester,
Irondequoit, Penfield, Perinton, Pittsford, and Webster
Transportation Committee; March 24, 2015 – CV: 7-0
Ways and Means Committee; March 25, 2015 – CV: 10-0
12. Boyce & Yolevich
Intro. 153
Res. 118
27-0 15-0103 Authorizing Contracts with Erdman Anthony and Associates, Inc. for Engineering
Services and New York State Department of Transportation for Elmwood Avenue –
Lac deVille Boulevard Intersection Improvement Project in Town of Brighton as Part
of Spot Improvement Projects Program
Transportation Committee; March 24, 2015 – CV: 7-0
Ways and Means Committee; March 25, 2015 – CV: 10-0
13. Boyce & Yolevich
Intro. 154
Res. 119
27-0 15-0103.br Resolution Authorizing the Issuance of \$1,210,000 Bond of the County of Monroe,
New York, To Finance the Cost of the Reconstruction of Various County Highways for
Safety and Traffic Improvement Purposes, In and for Said County, At an Estimated
Maximum Cost of \$1,210,000 and Superseding the Bond Resolution Adopted on
December 9, 2014 (Resolution No. 384 of 2014)
14. Colby & Yolevich
Intro. 155
Res. 120
27-0 15-0104 Accepting Grant from National Association of County and City Health Officials for
Medical Reserve Corps Capacity Building Program
Human Services Committee; March 24, 2015 – CV: 6-0
Ways and Means Committee; March 25, 2015 – CV: 10-0
15. Colby & Yolevich
Intro. 156
Res. 121
27-0 15-0105 Accepting Grant from New York State Department of Health for Early Intervention
Program
Human Services Committee; March 24, 2015 – CV: 6-0
Ways and Means Committee; March 25, 2015 – CV: 10-0
16. Colby & Yolevich
Intro. 157
Res. 122
27-0 15-0106 Accepting Grant from New York State Department of Health for Children with Special
Health Care Needs Program
Human Services Committee; March 24, 2015 – CV: 6-0
Ways and Means Committee; March 25, 2015 – CV: 10-0

17. Colby & Yolevich
Intro. 158
Res. 123
27-0
15-0107 Accepting Grant from United States Environmental Protection Agency for Continuation of Delisting Processes for Rochester Embayment Area of Concern Program
Human Services Committee; March 24, 2015 – CV: 6-0
Ways and Means Committee; March 25, 2015 – CV: 10-0
18. Colby & Yolevich
Intro. 159
Res. 124
27-0
15-0108 Authorizing Contract with Nurse-Family Partnership (National Service Office) for Support of Nurse-Family Partnership Program
Human Services Committee; March 24, 2015 – CV: 6-0
Ways and Means Committee; March 25, 2015 – CV: 10-0
19. Colby & Yolevich
Intro. 160
Res. 125
27-0
15-0109 Authorizing Contracts for Provision of Forensic Pathology Services to Monroe County Office of Medical Examiner
Human Services Committee; March 24, 2015 – CV: 6-0
Ways and Means Committee; March 25, 2015 – CV: 10-0
20. Yolevich & Rockow
Intro. 161
Res. 126
27-0
15-0110 Authorizing *In Rem* Tax Foreclosure Action No. 140
Ways and Means Committee; March 25, 2015 – CV: 10-0
21. Yolevich & Rockow
Intro. 162
Res. 127
27-0
15-0111 Authorizing Conveyance of Permanent Easement on Property Owned by Monroe County to Rochester Gas and Electric Corporation for Utility Purposes at 557 Manitou Beach Road in Town of Greece
Ways and Means Committee; March 25, 2015 – CV: 10-0
22. Yolevich & Rockow
Intro. 163
Res. 128
27-0
15-0113 Authorizing Conveyance of Permanent Easement on Property Owned by Monroe County to Town of Penfield for Sanitary Sewer Purposes at 273 Old Browncroft Boulevard in Town of Penfield
Ways and Means Committee; March 25, 2015 – CV: 10-0
23. Boyce & Yolevich
Intro. 164
Res. 129
27-0
15-0114 Authorizing Acquisition of Interest in Real Property for Installation and Maintenance of Traffic Signal Equipment at Entrance to 2030 Five Mile Line Road in Town of Penfield
24. Boyce & Yolevich
Intro. 165
Res. 130
27-0
15-0115 Authorizing Acquisition of Interests in Real Property for Winton Road South Culvert Replacement Project in Town of Brighton
Transportation Committee; March 24, 2015 – CV: 7-0
Ways and Means Committee; March 25, 2015 – CV: 10-0
25. Boyce & Yolevich
Intro. 166
Res. 131
27-0
15-0116 Authorizing Acquisition of Interests in Real Property for Culvert Replacement Project on North Road at Oatka Creek Tributary in Town of Wheatland
Transportation Committee; March 24, 2015 – CV: 7-0
Ways and Means Committee; March 25, 2015 – CV: 10-0

26. Yolevich & Rockow
Intro. 167
Res. 132
27-0
- 15-0117 Directing Correction and Cancellation and Levy of Certain Monroe County Taxes in Towns of Brighton, Gates, Greece, Irondequoit and City of Rochester
Ways and Means Committee; March 25, 2015 – CV: 10-0
27. Valerio & Yolevich
Intro. 168
- 15-0118 Amending 2015-2020 Capital Improvement Program and Authorizing Acceptance of New York State Environmental Facilities Corporation Green Innovation Grant Program Award, Monroe Community College Association, Inc. Award and Matching Funding from State University of New York for Monroe Community College Downtown Campus Project
Recreation and Education Committee; March 24, 2015 – CV: 5-0
Ways and Means Committee; March 25, 2015 – CV: 10-0

Intro. 169
M. 35
21-6

Valerio/Yolevich (*Amendment 1*)
Motion to Amend Intro. No. 168 of 2015 as follows:

PROVIDING THAT INTRO. NO. ____ OF 2015 BE AMENDED

Section 1. The title of Intro No. 168 is hereby amended to read as follows:

“AMENDING 2015-2020 CAPITAL IMPROVEMENT PROGRAM AND AUTHORIZING ACCEPTANCE OF NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION GREEN INNOVATION GRANT PROGRAM AWARD, MONROE COMMUNITY COLLEGE FOUNDATION ASSOCIATION, INC. AWARD AND MATCHING FUNDING FROM STATE UNIVERSITY OF NEW YORK FOR MONROE COMMUNITY COLLEGE DOWNTOWN CAMPUS PROJECT”

Section 2. Section 3 of Intro No. 168 is hereby amended to read as follows:

The County Executive, or her designee, is hereby authorized to accept a \$1,361,000 award from and to execute a contract and any amendments thereto with, the Monroe Community College Foundation Association, Inc., for the “Monroe Community College Downtown Campus” project.

File No. 15-0118

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

(Legislators Andrews, Haney, Kaleh, Morelle, Jr., Styk and Wilcox Voted in the Negative.)

Intro. 168
Res. 133
27-0

Main Motion
(As Amended by M. 35 of 2015)

28. Valerio & Yolevich
Intro. 170
Res. 134
27-0
- 15-0118.br Resolution Authorizing the Issuance of \$78,000,000 Bonds of the County of Monroe, New York, To Finance the Cost of the Redesign and Reconstruction of Premises to be Acquired by or Leased by the County for Use as a Downtown Campus by Monroe Community College, In and for Said County, At an Estimated Maximum Cost of \$78,000,000 and Superseding the Bond Resolution Adopted on January 14, 2014 (Resolution No. 5 of 2014)
29. Valerio & Yolevich
Intro. 171
Res. 135
27-0
- 15-0119 Authorizing Contracts with The Springut Group, Inc., Roc City Rib Fest LLC, and Joseph Alessi for Ticketed Events in Monroe County Parks
Recreation and Education Committee; March 24, 2015 – CV: 5-0
Ways and Means Committee; March 25, 2015 – CV: 10-0

UNFINISHED BUSINESS

None

Upon Motion by Legislator Tucciarello, the Legislature Adjourned at 7:06 p.m. until **Tuesday, May 12, 2015 at 6:00 P.M.**

JAMIE L. SLOCUM
Clerk of the Legislature