

TWELFTH DAY

TUESDAY, NOVEMBER 14, 2006

Legislature met pursuant to adjournment.

President Wayne E. Zyra in the Chair.

ROLL CALL

Present — Legislators Andrews, Barker, Bronson, Cassetti, Colby, Driscoll, DiRaddo, Dobson, Eckel, Gamble, Haney, Hanna, Heider, LaFountain, Lightfoot, Malta, McCann, O'Brien, Palumbo, Quatro, Smith, Tucciarello, Valerio, Yolevich, Zyra — 25

Absent — Legislators Adair, Aldersley, Cruz, Lee — 4

Note: Legislator Aldersley entered the Chambers later in the meeting.

Meeting formally opened. At the invitation of Legislator E. Daniel Quatro, Pastor Kevin Kisler, of the Covenant Orthodox Presbyterian Church, delivered the invocation. The Pledge of Allegiance to the Flag was led by Legislator Mary A. Valerio.

MOTIONS, RESOLUTIONS AND NOTICES

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| 34. | Smith &
Palumbo
Intro. 397
Res. 295
26-0 | 06-0426 | Expressing Regret Of The Monroe County Legislature On The Recent Passing Of The Honorable William Steinfeldt former New York State Senator.
Matter of Urgency |
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This resolution was read into the record and adopted unanimously with each Legislator rising in his or her place for a moment of silence.

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| 35. | Smith &
Palumbo
Intro. 398
Res. 296
26-0 | 06-0427 | Expressing Regret Of The Monroe County Legislature On The Passing Of Private James E. Widener of the United States Marine Corps
Matter of Urgency |
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This resolution was read into the record and adopted unanimously with each Legislator rising in his or her place for a moment of silence.

APPROVAL OF MINUTES

Without objection, the journal of the session of Day 11, October 10, 2006 was approved as submitted.

PETITIONS AND COMMUNICATIONS

Note: County Executive Maggie Brooks addressed the Legislature on the Proposed 2007 Annual Monroe County Budget.

PROCLAMATIONS

By the President of the Legislature — **WAYNE E. ZYRA**

Recognized Jointly with Legislator John G. Driscoll "Earnest Miller" for being named the 2006 Chef of the Year for his commitment to our community and our country.

Read and Filed.

Recognized Jointly with Legislator Robert Colby "Mendel Dick" for his commitment to the community.

Read and Filed.

Recognized Jointly with Legislator Richard Yolevich "Sergeant Douglas Ziegler, Officers Paul Wheat and Michael DeToy" for their dedication to serving the Brockport community, and for recognition by Governor George E. Pataki for exceptional valor.

Read and Filed.

Recognized Jointly with Legislator C. Stephen Eckel "Cynthia Kaleh and the Maplewood Neighborhood Association" for their dedication and commitment to the Maplewood community.

Read and Filed.

Recognized Jointly with Legislator Willie J. Lightfoot "Moses and Bernice Smith of Unkl Moe's Bar-B-Que & Catering" for their tremendous contribution to the 19th Ward and Monroe County.

Read and Filed.

Recognized Jointly with Legislator Willie J. Lightfoot "Hunt's Hardware" for its tremendous contribution to the 19th Ward and Monroe County.

Read and Filed.

RECESS

A recess was declared by President Zyra to allow for one **Public Hearing** entitled...

“Amending Local Law No. 1 Of 2001, As Amended By Local Law Nos. 6 And 8 Of 2002, Local Law Nos. 3, 8 And 14 Of 2003, Local Law Nos. 2 And 3 Of 2004, Local Laws Nos. 6 And 7 Of 2005 And Local Laws Nos. 2, 3, 6 And 9 Of 2006 To Revise Empire Zone Boundary.” No speakers addressed the Legislature and the hearing concluded at 6:50 p.m.

RECONVENING LEGISLATURE

President Zyra reconvened the recessed meeting of November 14, 2006 and proceeded under the Usual Order of Business.

FORMAL COMMITTEE REPORTS

NONE

PUBLIC FORUM

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

LOCAL LAWS

1. Driscoll & 06-0313 Providing That Local Law (Intro. No. 363 Of 2006), Entitled “Amending Local Law No. LaFountain 1 Of 2001, As Amended By Local Law Nos. 6 And 8 Of 2002, Local Law Nos. 3, 8 And 14 Intro. 399 Of 2003, Local Law Nos. 2 And 3 Of 2004, Local Law Nos. 6 And 7 Of 2005 And M. 82 Local Law Nos. 2, 3, 6 And 9 Of 2006 To Revise Empire Zone Boundary,” Be Lifted From 26-0 The Table
2. Driscoll & 06-0313 Providing That Local Law (Intro. No. 363 Of 2006), Entitled “Amending Local Law No. LaFountain 1 Of 2001, As Amended By Local Law Nos. 6 And 8 Of 2002, Local Law Nos. 3, 8 And 14 Intro. 400 Of 2003, Local Law Nos. 2 And 3 Of 2004, Local Law Nos. 6 And 7 Of 2005 And M. 83 Local Law Nos. 2, 3, 6 And 9 Of 2006 To Revise Empire Zone Boundary,” Be Adopted 26-0 Planning and Economic Development Committee; October 2, 2006 – CV: 5-0
Ways and Means Committee; October 4, 2006 – CV: 10-0
- Intro. 363 Main Motion
Local Law No. TBA
26-0

MOTIONS, RESOLUTIONS AND NOTICES

Note: Agenda Item No. 37 was taken out of order.

37. Smith & 06-0429 Reappointment of Elections Commissioner Thomas F. Ferrarese
Palumbo Matter Of Urgency
Intro. 401
Res. 297
26-0

Note: President Zyra congratulated Elections Commissioner Thomas F. Ferrarese on his reappointment.

MOTIONS, RESOLUTIONS AND NOTICES

3. LaFountain & 06-0348 Requesting Submission Of Independent Counsel Report To Monroe County Legislature
McCann Ways and Means Committee; October 25, 2006 – CV: 10-0 (As Amended)
Intro. 402
Res. 298
26-0
4. Driscoll & 06-0353 Eight-Year Review Of Monroe County Southwestern Agricultural District No. 2
Barker Planning and Economic Development Committee; October 23, 2006 – CV: 5-0
Intro. 403 *(For Introductory Purposes Only)*
5. Driscoll & 06-0353 Providing That Resolution (Intro. No. 403 of 2006) Entitled, “Eight-Year Review Of
Barker Monroe County Southwestern Agricultural District No. 2,” Be Tabled
Intro. 404
M. 84
26-0

6. Driscoll & Barker
Intro. 405
Res. 299
26-0
06-0353 Fixing A Public Hearing On Resolution (Intro. No. 403 of 2006), Entitled “Eight-Year Review Of The Monroe County Southwestern Agricultural District No. 2”
(Public Hearing is Scheduled for Monday, November 27, 2006 at 6:30 P.M. at the Riga Town Hall, 6460 East Buffalo Road, Churchville, New York)
7. Driscoll & LaFountain
Intro. 406
Res. 300
26-0
06-0354 Resolution Approving The Issuance Of Certain Bonds By The County Of Monroe Industrial Development Agency And Pledging Non-Interference With The Rights Of The Holders Of The Bonds
Planning and Economic Development Committee; October 23, 2006 – CV: 5-0
Ways and Means Committee; October 25, 2006 - CV: 10-0
8. Barker & LaFountain
Intro. 407
Res. 301
26-0
06-0355 Accepting Grant From United States Department Of Justice, Office Of Justice Programs, For FY 2006 Forensic Casework DNA Backlog Reduction Program
Public Safety Committee; October 23, 2006- CV: 7-0
Ways and Means Committee; October 25, 2006 - CV: 10-0
9. Barker & LaFountain
Intro. 408
Res. 302
26-0
06-0356 Accepting Grant From United States Department Of Justice, Office Of Justice Programs, For Forensic DNA Capacity Enhancement Program
Public Safety Committee; October 23, 2006 - CV: 7-0
Ways and Means Committee; October 25, 2006 - CV: 10-0
10. Barker & LaFountain
Intro. 409
Res. 303
26-0
06-0357 Accepting Grant From United States Department Of Justice, Office Of Justice Programs, For Firearms Range
Public Safety Committee; October 23, 2006 - CV: 7-0
Ways and Means Committee; October 25, 2006 - CV: 10-0
11. Barker & LaFountain
Intro. 410
Res. 304
26-0
06-0358 Accepting Grant From New York State Division Of Criminal Justice Services For Public Defender Enhanced Defense Program
Public Safety Committee; October 23, 2006 - CV: 7-0
Ways and Means Committee; October 25, 2006 - CV: 10-0
12. Barker & DiRaddo
Intro. 411
Res. 305
26-0
06-0359 Authorizing Preliminary Agreement With New York State Office For Technology To Develop Mutually Acceptable Partnership For Participation In Statewide Wireless Network
Public Safety Committee; October 23, 2006 - CV: 7-0
13. Valerio & LaFountain
Intro. 412
Res. 306
26-0
06-0360 Authorizing Contract With St. John Fisher College To Provide Support Services For Office Of The County Historian
Recreation and Education Committee; October 24, 2006 - CV: 5-0
Ways and Means Committee; October 25, 2006 - CV: 10-0
14. Valerio, LaFountain & Bronson
Intro. 413
Res. 307
26-0
06-0361 Authorizing Contract With Springut Group, Inc. For Ticketed Events In Highland Park Bowl For Summer 2007 Concert Series
Recreation and Education; October 24, 2006 – CV: 5-0
Ways and Means Committee; October 25, 2006 – CV: 10-0
15. Yolevich, Valerio & Malta
Intro. 414
Res. 308
26-0
06-0362 Authorizing Intermunicipal Agreement With Town Of Sweden To Develop, Operate And Maintain A Public Multi-Use Recreation Trail On A 1.9 Mile Portion Of The Former Rochester Buffalo Lockport Trolley Right-of-Way
Intergovernmental Relations Committee; October 24, 2006 – CV: 5-0
Recreation and Education Committee, October 24, 2006 - CV: 5-0

16. Malta, Dobson & LaFountain
Intro. 415
Res. 309
26-0
06-0363 Authorizing Intermunicipal Agreement With City Of Rochester To Provide Water Quality Monitoring For Beach At Durand Eastman Park
Intergovernmental Relations Committee; October 24, 2006 – CV: 5-0
Human Services Committee; October 24, 2006 - CV: 8-0
Ways and Means Committee; October 25, 2006 - CV: 10-0
17. Dobson & LaFountain
Intro. 416
Res. 310
26-0
06-0364 Amending Resolution 74 Of 2006 To Accept Additional Funding From New York State Department Of Health For Bathing Beach Water Quality Monitoring And Notification Program
Human Services Committee; October 24, 2006- CV: 8-0
Ways and Means Committee; October 25, 2006 - CV: 10-0
18. Dobson & LaFountain
Intro. 417
Res. 311
26-0
06-0365 Accepting Grant From New York State Department Of Health For Bathing Beach Water Quality Monitoring And Notification Program
Human Services Committee; October 24, 2006 – CV: 8-0
Ways and Means Committee; October 25, 2006 - CV: 10-0
19. Dobson & LaFountain
Intro. 418
Res. 312
26-0
06-0366 Amending Resolution 262 Of 2006 To Accept Additional Funding From New York State Department Of Health For Consolidated Child And Family Health Program
Human Services Committee; October 24, 2006 - CV: 8-0
Ways and Means Committee; October 25, 2006 - CV: 10-0
20. Dobson & LaFountain
Intro. 419
Res. 313
26-0
06-0367 Accepting Grant From New York State Department Of Health For Healthy Neighborhoods Program
Human Services Committee; October 24, 2006 - CV: 8-0
Ways and Means Committee; October 25, 2006 - CV: 10-0
21. Dobson & LaFountain
Intro. 420
Res. 314
26-0
06-0368 Accepting Grant From New York State Department Of Health For Tobacco Enforcement Program
Human Services Committee; October 24, 2006 - CV: 8-0
Ways and Means Committee; October 25, 2006 - CV: 10-0
22. Dobson & LaFountain
Intro. 421
Res. 315
26-0
06-0369 Accepting Grant From New York Department Of Health For Rabies Reimbursement Program
Human Services Committee; October 24, 2006 – CV: 8-0
Ways and Means Committee; October 25, 2006 – CV: 10-0
23. Dobson & LaFountain
Intro. 422
Res. 316
26-0
06-0370 Accepting Funding From New York State Office Of Temporary And Disability Assistance For Medicaid Administration
Human Services Committee; October 24, 2006 - CV: 8-0
Ways and Means Committee; October 25, 2006 - CV: 10-0
24. Dobson & LaFountain
Intro. 423
Res. 317
26-0
06-0371 Accepting Grant From New York State Office Of Temporary And Disability Assistance For Medicaid Fraud, Waste And Abuse Demonstration Project
Human Services Committee; October 24, 2006 - CV: 8-0
Ways and Means Committee; October 25, 2006 – CV: 10-0
25. Dobson & LaFountain
Intro. 424
Res. 318
26-0
06-0372 Accepting Grant From New York State Office For The Aging For Area Agency On Aging Transportation Program
Human Services Committee; October 24, 2006- CV: 8-0
Ways and Means Committee; October 25, 2006 – CV: 10-0

26. Dobson & LaFountain
Intro. 425
Res. 319
26-0
06-0373
Accepting Funding From New York State Office For The Aging For Implementation Of NY Connects: Choices For Long Term Care
Human Services Committee; October 24, 2006 – CV: 8-0
Ways and Means Committee; October 25, 2006 – CV: 10-0
27. Dobson & LaFountain
Intro. 426
Res. 320
26-0
06-0374
Rescinding Resolution 250 Of 2005, Amending Resolution 183 Of 2000, And Authorizing An Affiliation Agreement With The University Of Rochester School Of Medicine And Dentistry For Medical Services For Monroe Community Hospital And License Agreements For Use And Occupancy Of Space At Monroe Community Hospital
Human Services Committee; October 24, 2006 – CV: 8-0
Ways and Means Committee; October 25, 2006 – CV: 10-0
28. Tucciarello & LaFountain
Intro. 427
Res. 321
26-0
06-0375
Authorizing Advertisement For Bids For Lawrence Road Bridge Over Otis Creek Project In The Town Of Clarkson
Transportation Committee; October 25, 2006 - CV: 8-0
Ways and Means Committee; October 25, 2006 – CV: 10-0
29. Tucciarello & LaFountain
Intro. 428
Res. 322
26-0
06-0376
Authorizing Advertisement For Bids For Lawrence Road Bridge Over Moorman Creek Project In The Town Of Clarkson
Transportation Committee; October 25, 2006 - CV: 8-0
Ways and Means Committee; October 25, 2006 – CV: 10-0
30. LaFountain & McCann
Intro. 429
Res. 323
26-0
06-0377
Authorizing Sale Of County Owned Tax Foreclosed Property, Town Of Greece
Ways and Means Committee; October 25, 2006- CV: 10-0
31. LaFountain & McCann
Intro. 430
Res. 324
26-0
06-0378
Authorizing Sale Of County Owned Tax Foreclosed Property, Town Of Ogden
Ways and Means Committee; October 25, 2006- CV: 10-0
32. LaFountain & McCann
Intro. 431
Res. 325
26-0
06-0379
Authorizing Contract With Patricia Lynch Associates, Inc. For Lobbying Services
Ways and Means Committee; October 25, 2006 - CV: 10-0
33. Dobson & LaFountain
Intro. 432
Res. 326
26-0
06-0381
Accepting Grant From New York State Office Of Temporary And Disability Assistance For The Combined TANF Allocation Plan
Human Services Committee: October 24, 2006 – CV: 8-0
Ways and Means Committee; October 25, 2006 – CV: 10-0
36. Dobson & LaFountain
Intro. 433
Res. 327
26-0
06-0428
Accepting Grant From United States Department Of Housing And Urban Development For Lead-Based Paint Hazard Control Program
Matter Of Urgency
38. LaFountain & McCann
Intro. 434
06-0430
Adoption of Monroe County Annual Budget for the Year 2007 and Establishing 2007 Monroe County Classification, Compensation and Salary Schedule for Monroe County Employees
Matter Of Urgency
(For Introductory Purposes Only)

39. LaFountain & McCann 06-0430
Intro. 435
M. 85
26-0
- Providing that Resolution (Intro. No. 434 of 2006), Entitled "Adoption of Monroe County Annual Budget for the Year 2007 and Establishing 2007 Monroe County Classification, Compensation and Salary Schedule for Monroe County Employees," Be Tabled
Matter Of Urgency
40. LaFountain & McCann 06-0430
Intro. 436
- Fixing Public Hearing on Resolution (Intro. No. 434 of 2006), Entitled "Adoption of Monroe County Annual Budget for the Year 2007 and Establishing 2007 Monroe County Classification, Compensation and Salary Schedule for Monroe County Employees"
Matter Of Urgency
(Public Hearing is Scheduled for Thursday, December 7, 2006 at 5:35 P.M. before the Ways and Means Committee)
- Intro. 437
- Smith/Palumbo
Motion to Amend Intro. No. 436 of 2006 by changing the date and time in Section 1 as follows:
- M. 86
26-0
- Section 1. Pursuant to Section C4-3 of the Monroe County Charter and Section A6-12 of the Monroe County Administrative Code, there will be a public hearing before the Ways and Means Committee of the Monroe County Legislature at ~~5:30~~ **5:35** p.m., Eastern Standard Time, on the ~~12th~~ **7th** day of December, 2006, in the Legislative Chambers in the County Office Building, Rochester, New York, on the County Executive's Proposed Annual Budget for 2007.
- Added language is underlined and bolded.
Deleted language is ~~stricken~~.
- Intro. 436
Res. 328
As Amended by M. 86
26-0
- Main Motion

UNFINISHED BUSINESS

Upon Motion by Legislator Smith, the Legislature adjourned at 7:30 P.M. until Tuesday, December 12, 2006 at 6:00 P.M.

DAVID M. BARRY, JR.
Clerk of the Legislature