

**TENTH DAY**

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**TUESDAY, SEPTEMBER 8, 2009**

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Legislature met pursuant to adjournment.

Vice President Jeffrey R. Adair in the Chair.

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**ROLL CALL**

Present — Legislators Adair, Andrews, Antelli, Barker, Beebe, Bronson, Cassetti, Colby, Daniele, Driscoll, Esposito, Eckel, Gamble, Gumina, Haney, Hanna, Heider, Kaleh, LaFountain, Lee, Lightfoot, McCann, O'Brien, Quatro, Tucciarello, Valerio, Yolevich - 27

Absent – President Zyra and Legislator Cruz – 2

*Vice President Adair recognized and welcomed Legislator Debbie Drawe to the Monroe County Legislature.*

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Meeting formally opened. At the invitation of Legislator Ciaran T. Hanna, Father Ed Palumbos of the Church of the Assumption delivered the invocation. The Pledge of Allegiance to the Flag was led by Legislator Robert J. Colby

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**APPROVAL OF MINUTES**

Without objection, the journal of the session of Day 9 of 2009, August 11, 2009 was approved as submitted.

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**PETITIONS AND COMMUNICATIONS**

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**PROCLAMATIONS**

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

*Note: Legislator Cruz entered the chambers and was present for the remainder of the meeting.*

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**Recognized Jointly with Legislators Robert J. Colby and Richard Yolevich “Mike Ammering and Ferris-Goodridge American Legion Post #330” on their celebration of ninety years of outstanding service.**

Read and Filed.

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**Recognized Jointly with Legislator Ciaran T. Hanna “Aviella Winder” for her multitude of musical talents along with her outstanding community service to the entire Rochester area.**

Read and Filed.

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**Recognized Jointly with Legislators Stephen Tucciarello and Mary A. Valerio “Bright Raven Gymnastics” on their 40<sup>th</sup> anniversary and the positive influence they continue to provide our community and all of their members**

Read and Filed.

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**Recognized Jointly with Legislator Mark J. Cassetti “Bud Lowell” for his outstanding accomplishments and his years of dedicated service to WXXI Radio as well as the Rochester Community.**  
Read and Filed.

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**Recognized Jointly with Legislator Debbie Drawe “Yarik Merkulov” for his exceptional talent in the sport of golf and winning the NYSGA 2009 Men’s Amateur Championship.**  
Read and Filed.

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**Recognized Jointly with Legislators Jeffrey L. McCann and Rick Antelli “Boy Scout Troop 197” for removing graffiti from local canal bridges in Greece along with their continued service and dedication to the entire Greece community.**  
Read and Filed.

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**Recognized Jointly with Legislators Vincent Esposito, Edward M. O’Brien and C. Stephen Eckel “Town of Irondequoit” for their shining example of environmental stewardship and leadership.**  
Read and Filed.

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**Recognized Jointly with Legislator Edward M. O’Brien “Heritage Christian Services” on the 25<sup>th</sup> Anniversary of its first group home and for exceptional service to the community.**  
Read and Filed.

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**Recognized Jointly with Legislators Carrie M. Andrews, E. Daniel Quatro, Harry B. Bronson, Mary A. Valerio and Edward M. O’Brien “American Cancer Society Lakes Region Office” for their hard work and dedication to fighting cancer in the Rochester community.**  
Read and Filed.

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#### **FORMAL COMMITTEE REPORTS**

*NONE*

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#### **PUBLIC FORUM**

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An Open Forum was conducted to allow speakers to address the Legislature. Eight speakers addressed the Legislature on various subjects and the Open Forum concluded at 6:56 P.M.

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#### **RECESS**

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

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PWAB 1.	Valerio, Cassetti & Barker Intro. G7	09-0274	Authorizing Acquisition Of Interests In Real Property By Gates-Chili-Ogden Pure Waters District For The Southwest Pump Station Monitoring System Upgrades Project In Town Of Chili
	Intro. G8 MG1 28-0		Quatro/Driscoll Motion to Amend Intro. No. G7 to read as follows:

Section 2. Funding for this acquisition is included in capital fund ~~1374~~ 1217 and any subsequent capital fund(s) created for the same intended purpose.

Added language is underlined.

Deleted language is ~~stricken~~.

Intro. G7                      Main Motion  
Res. 09G-007 (As Amended by M. G1)  
28-0

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## RECONVENING LEGISLATURE

President Zyra reconvened the recessed meeting of September 8, 2009 and proceeded under the Usual Order of Business.

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## MOTIONS, RESOLUTIONS AND NOTICES

1. Yolevich &      09-0256      Confirming Reappointments to the Monroe County Soil and Water Conservation Board  
Barker  
Intro. 286

Intro. 287  
M. 64  
28-0

Quatro/Driscoll  
Motion to Amend Intro. 286 to read as follows:

Section 1. In accordance with Article 2 of the Soil Conservation Districts Law of the State of New York and Monroe County Resolutions 90 and 111 of 1953, the following reappointments to the Soil and Water Conservation Board made by Monroe County Legislature President Wayne E. Zyra, are hereby confirmed:

- Selden Chase, 5874 E. Henrietta Road, Rush, New York 14543, term to begin immediately and expire on 12/31/2010
- Rollin Pickering, 4561 Nine Mile Point Road, Fairport, New York 14450, term to begin immediately and expire on 12/31/2011
- Thomas Klafehn, 336 McIntosh Road, Churchville, New York 14428, term to begin immediately and expire on 12/31/2010
- Mark Greene, 3170 Clover Street, Pittsford, New York 14534, term to begin immediately and expire on 12/31/2009
- Charles Colby, 265 Colby Street, Spencerport, New York, 14559, term to begin immediately and expire on 12/31/2011
- Hon. Richard Yolevich, 1035 Parma-Hilton Road, Hilton, New York, 14468, term to begin immediately and expire on 12/31/2011
- Hon. ~~Carrie M. Andrews~~, C. Stephen Eckel, 270 Seneca Parkway ~~50 Roseview Ave.~~, Rochester, NY, ~~14609~~, 14613, term to begin immediately and expire on 12/31/2011

Added language is underlined.

Deleted language is ~~stricken~~.

Intro. 286                      Main Motion  
Res. 221 (As Amended by M. 64) (*Legislator Colby declared his interest prior to the vote*)  
28-0

2. Hanna &      09-0265      Accepting Grant From New York State Crime Victims Board For Sheriff's Victim  
Barker                      Assistance Program  
Intro. 288                      Public Safety Committee; August 24, 2009 – CV: 8-0  
Res. 222                      Ways and Means Committee; August 26, 2009 – CV: 11-0  
28-0

3. Hanna & Barker  
Intro. 289  
Res. 223  
28-0  
09-0266  
Accepting Grant From New York State Division Of Criminal Justice Services For Local Reentry Coordination And Services Program; Authorizing Contract With Catholic Family Center  
Public Safety Committee; August 24, 2009 – CV: 8-0  
Ways and Means Committee; August 26, 2009 – CV: 11-0
4. Yolevich & Barker  
Intro. 290  
Res. 224  
28-0  
09-0267  
Confirming Reappointments To Monroe County Board Of Health  
Agenda/Charter Committee; August 24, 2009 – CV: 5-0
5. Antelli, Hanna & Barker  
Intro. 291  
Res. 225  
28-0  
09-0268  
Authorizing Intermunicipal Agreement With City Of Rochester To Accept Pass Through Funding From United States Department Of Justice For 2009 Edward Byrne Memorial Justice Assistance Grant Program  
Intergovernmental Relations Committee; August 25, 2009 – CV: 4-0  
Public Safety Committee; August 24, 2009 – CV: 8-0  
Ways and Means Committee; August 26, 2009 – CV: 11-0
6. Antelli, Colby, Barker & Yolevich  
Intro. 292  
Res. 226  
28-0  
09-0269  
Authorizing Intermunicipal Agreement With Town Of Parma For Administration Of Town Of Parma Bridge Projects  
Intergovernmental Relations Committee; August 25, 2009 – CV: 4-0  
Transportation Committee; August 26, 2009 – CV: 6-0  
Ways and Means Committee; August 26, 2009 – CV: 11-0
7. Daniele & Barker  
Intro. 293  
Res. 227  
28-0  
09-0270  
Amending Resolution 98 Of 2009 To Accept Additional Funding From New York State Office Of Temporary And Disability Assistance For 2008-2009 Home Energy Assistance Program  
Human Services Committee; August 25, 2009 – CV: 5-0  
Ways and Means Committee; August 26, 2009 – CV: 11-0
8. Daniele & Barker  
Intro. 294  
Res. 228  
28-0  
09-0271  
Accepting Grant From New York State Department Of Health For Bathing Beach Water Quality Monitoring And Notification Program  
Human Services Committee; August 25, 2009 – CV: 5-0  
Ways and Means Committee; August 26, 2009 – CV: 11-0
9. Daniele & Barker  
Intro. 295  
Res. 229  
28-0  
09-0272  
Accepting Grant From New York State Department Of Health For HIV Client Services – Emerging Communities Program And Authorizing Contract With University Of Rochester  
Human Services Committee; August 25, 2009 – CV: 5-0  
Ways and Means Committee; August 26, 2009 – CV: 11-0
10. Valerio, Cassetti & Intro. 296  
Intro. 297  
M. 65  
28-0  
09-0273  
Authorizing Acquisitions Of Interests In Real Property By Gates-Chili-Ogden Pure Waters District For Southwest Pump Station Monitoring System Upgrades Project In Town Of Chili  
Environment and Public Works Committee; August 26, 2009 – CV: 7-0  
Ways and Means Committee; August 26, 2009 – CV: 11-0  
  
Quatro/Driscoll  
Motion to Amend Intro. 296 to read as follows:  
  
Section 2. Funding for this acquisition is included in capital fund ~~1374~~ 1217 and any subsequent capital fund(s) created for the same intended purpose.  
  
Added language is underlined.  
Deleted language is ~~stricken~~.  
  
Intro. 296  
Res. 230 (As Amended by M. 65)  
28-0  
Main Motion

11. Colby, Daniele & Barker  
Intro. 298  
Res. 231  
28-0  
09-0275 Authorizing To Advertise For Bids; Authorizing Intermunicipal Agreement With Monroe County Water Authority For Water Main Installation In Conjunction With Mill Road Phase II Improvement Project In Town Of Greece  
Transportation Committee; August 26, 2009 – CV: 6-0  
Intergovernmental Relations Committee; August 25, 2009 – CV: 4-0  
Ways and Means Committee; August 26, 2009 – CV: 11-0
12. Colby & Barker  
Intro. 299  
Res. 232  
28-0  
09-0276 Authorizing Contracts With Fisher Associates, P.E., L.S., P.C. For Engineering Services And New York State Department Of Transportation For Erie Station Road Project In Town Of Henrietta  
Transportation Committee; August 26, 2009 – CV: 6-0  
Ways and Means Committee; August 26, 2009 – CV: 11-0
13. Colby & Barker  
Intro. 300  
Res. 233  
28-0  
09-0277 Authorizing Contracts With Erdman Anthony And Associates, Inc. For Engineering Services And New York State Department Of Transportation for Preventative Maintenance Program Project  
Transportation Committee; August 26, 2009 – CV: 6-0  
Ways and Means Committee; August 26, 2009 – CV: 11-0
14. Colby & Barker  
Intro. 301  
Res. 234  
28-0  
09-0278 Authorizing Acquisition Of Property Interests In Real Property For Maintenance Of Traffic Signal Equipment At Dewey Avenue In Town Of Greece  
Transportation Committee; August 26, 2009 – CV: 6-0  
Ways and Means Committee; August 26, 2009 – CV: 11-0
15. Yolevich, Colby & Barker  
Intro. 302  
Res. 235  
28-0  
09-0279 Authorizing Acquisition Of Property Interests In Real Property For Gordon Road Culvert Project In Town Of Sweden  
Transportation Committee; August 26, 2009 – CV: 6-0  
Ways and Means Committee; August 26, 2009 – CV: 11-0
16. Yolevich, Colby & Barker  
Intro. 303  
Res. 236  
28-0  
09-0280 Authorizing Acquisition Of Property Interests In Real Property for Clarkson-Parma Town Line Road Culvert Project In Towns Of Clarkson And Parma  
Transportation Committee; August 26, 2009 – CV: 6-0  
Ways and Means Committee; August 26, 2009 – CV: 11-0
17. Barker & Driscoll  
Intro. 304  
Res. 237  
28-0  
09-0281 Authorizing Sale Of Permanent Easements On County-Owned Property In Town Of Irondequoit  
Ways and Means Committee; August 26, 2009 – CV: 11-0
18. Colby, Barker & Driscoll  
Intro. 305  
Res. 238  
28-0  
09-0282 Authorizing Sale Of Permanent And Temporary Easements On County-Owned Property In Town Of Ogden  
Ways and Means Committee; August 26, 2009 – CV: 11-0
19. Cassetti & Barker  
Intro. 306  
Res. 239  
28-0  
09-0285 Authorizing Acceptance Of Incentive Award From New York State Energy Research And Development Authority; Authorizing Contracts With Building Innovation Group, Inc., Landry Mechanical Contractors, And Hewitt Young Electric, LLC For Construction Of Monroe County Pediatrics And Community Visitation Center Project  
Environment and Public Works Committee; August 26, 2009 – CV: 7-0  
Ways and Means Committee; August 26, 2009 – CV: 11-0

20. Cassetti & Barker  
Intro. 307  
Res. 240  
28-0
- 09-0285 br. Resolution Authorizing the Issuance Of 8,600,00 Bonds Of The County Of Monroe, New York, To Finance The Cost Of The Planning, Design And Construction Of A Monroe County Pediatrics And Community Visitation Center At Monroe Community Hospital, In And For Said County, At An Estimated Maximum Cost Of 8,600,000, And Superceding The Bond Resolution Adopted On December 9, 2008 (Resolution No. 295 Of 2008).
21. Barker & Driscoll  
Intro. 308  
Res. 241  
28-0
- 09-0286 Authorizing Contract With Roy Teitsworth, Inc. For Provision Of Auctioneer Services  
Ways and Means Committee; August 26, 2009 – CV: 11-0
22. Cassetti & Barker  
Intro. 309  
Res. 242  
28-0
- 09-0287 Authorizing Contracts With Crane-Hogan Structural Systems, Inc., John W. Danforth Company, Kaplan-Schmidt Electric, Inc., And Dancker, Sellev & Douglas, Inc. For Construction Of The Monroe County Public Safety Laboratory Project  
Environment and Public Works Committee; August 26, 2009 – CV: 7-0  
Ways and Means Committee; August 26, 2009 – CV: 11-0
23. Hanna, Antelli & Barker  
Intro. 310
- 09-0289 Authorizing Contract With Monroe Security & Safety Systems Incorporated;  
Authorizing Intermunicipal Agreement With Monroe County Water Authority For Provision Of Public Safety And Security Systems And Services  
Public Safety Committee; August 24, 2009 – CV: 5-3  
Intergovernmental Relations Committee; August 25, 2009 – CV: 3-1  
Ways and Means Committee; August 26, 2009 – CV: 6-5
- Intro. 311  
M. 66  
28-0
- Quatro/Driscoll  
Motion to Table Intro. 310

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**UNFINISHED BUSINESS**

*NONE*

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Upon Motion by Legislator E. Daniel Quatro, the Legislature adjourned at 7:15 P.M. until Tuesday October 13, 2009 at 6:00 p.m.

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**LISA POLITO NICOLAY**  
Clerk of the Legislature