

ELEVENTH DAY

WEDNESDAY, SEPTEMBER 26, 2007

Legislature met pursuant to Special Meeting
Notice Regarding Consideration of
File No. 07-0333

President Wayne E. Zyra in the Chair.

ROLL CALL

Present — Legislators Adair, Aldersley, Andrews, Barker, Bronson, Cassetti, Colby, Cruz, DiRaddo, Dobson, Driscoll, Eckel, Gamble, Haney, Hanna, Heider, LaFountain, Lee, Lightfoot, Malta, McCann, O'Brien, Palumbo, Quatro, Smith, Tucciarello, Valerio, Yolevich, Zyra — 29

Meeting formally opened. President Zyra requested a moment of silent prayer. The Pledge of Allegiance to the Flag was led by Legislator Mark J. Cassetti.

ANNOUNCEMENT

President Zyra stated that notification of this special meeting was given to legislators and the media by the Clerk of the Legislature in accordance with Section C2-9C(2) of the Monroe County Charter and Section 545-5 of the Rules of the Legislature of the County of Monroe. The sole purpose of this meeting was for the consideration of Referral 07-0333 deemed to be Matters of Urgency Pursuant to Section 545-24 (A) (3) of the Rules of the Monroe County Legislature of the County of Monroe.

PUBLIC FORUM

An Open Forum was conducted to allow speakers to address the Legislature. Two speakers addressed the Legislature and the Open Forum concluded at 6:13 P.M.

PETITIONS AND COMMUNICATIONS

From the President of the Legislature — WAYNE E. ZYRA

Regarding Calling a Special Meeting of the Legislature

Read and Filed. (RF07-332)

September 26, 2007

Mr. David Michael Barry, Clerk
Monroe County Legislature
407 County Office Building
Rochester, New York 14614

RE: Special Meeting of the Monroe County Legislature

Dear Mr. Barry:

Pursuant to the authority vested in me as President of the Legislature by Section C2-9C of the County Charter and Section 545-5 of the Rules of the Monroe County Legislature, I hereby direct you to call a special meeting of the Legislature for Wednesday, September 26, 2007, at 6:00 P.M. in the Chambers of the Legislature, 406 County Office Building to consider the following business, deemed to be matters of urgency pursuant to section 545-24 (A) (3) of the Rules of the Legislature of the County of Monroe.

The business to be conducted at the special meeting will be to consider referral 07-0333, *Enact the F.A.I.R. Plan to End Monroe County's Budget Crisis*, which includes the following legislative actions:

1. Adopt the reimbursement option for Medicaid purposes described in section 2 of chapter 58 of the laws of 2005 by adopting the resolution set forth in section 2(b)(ii) of chapter 58 of the laws of 2005;
2. Authorize the County Executive, or her designee, to execute intermunicipal agreements, and any amendments thereto, with the City of Rochester and Towns and Villages in Monroe County for the provision of funds by Monroe County to those municipalities such that they experience no loss of revenue as a result of the election under section 2 of chapter 58 of the laws of 2005;
3. Adopt a resolution to establish a Monroe County motor vehicle registration fee.

Please give notice of this special meeting of the County Legislature to the members of the Legislature in accordance with the provisions of Section C2-9C (2) of the County Charter.

Sincerely,
WAYNE E. ZYRA
President
Monroe County Legislature

OTHER COUNTY OFFICIALS

David M. Barry, Jr., Clerk of the Legislature — Regarding Special Meeting of the Monroe County Legislature.

Read and Filed. (RF07-333)

September 26, 2007

Re: Calling Special Meeting of the Monroe County Legislature

Dear Legislator:

At the direction of the President of the Monroe County Legislature, Wayne E. Zyra, a **Special Meeting of the Monroe County Legislature** is hereby called pursuant to Section C2-9C of the Monroe County Charter and Section 545-5 of the *Rules* of the Legislature for Wednesday, September 26, 2007 at 6:00 P.M. in the Chambers of the Legislature, 406 County Office Building, to consider the following business, deemed to be matters of urgency pursuant to section 545-24 (A) (3) of the Rules of The Legislature.

The business to be conducted at the special meeting will be to consider referral **07-0333 Enact the F.A.I.R. Plan to End**

Monroe County's Budget Crisis, which includes the following legislative actions:

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- 1) Adopt the reimbursement option for Medicaid purposes described in section 2 of chapter 58 of the laws of 2005 by adopting the resolution set forth in section 2(b)(ii) of chapter 58 of the laws of 2005;
- 2) Authorize the County Executive, or her designee, to execute intermunicipal agreements, and any amendments thereto, with the City of Rochester and Towns and Villages in Monroe County for the provision of funds by Monroe County to those municipalities such that they experience no loss of revenue as a result of the election under section 2 of chapter 58 of the laws of 2005;
- 3) Adopt a resolution to establish a Monroe County motor vehicle registration fee.

Sincerely,
DAVID M. BARRY, JR.
Clerk
Monroe County Legislature

MOTIONS, RESOLUTIONS AND NOTICES

- Haney/Lightfoot
- Intro. 368
M. 102
12-17 F
- A motion was made to Adjourn the meeting until Saturday, September 29, 2007 at 9:00 a.m.
(Legislators Palumbo, Aldersley, Andrews, Bronson, Cruz, Eckel, Gamble, Haney, Heider, Lee, Lightfoot and O'Brien voted in the positive)
1. Smith & McCann
Intro. 369
Res. 349
17-12
- 07-0333
- Adopt The Reimbursement Option For Medicaid Purposes Described In Section 2 Of Chapter 58 Of The Laws Of 2005 By Adopting The Resolution Set Forth In Section 2(b)(ii) Of Chapter 58 Of The Laws of 2005
Matter of Urgency
(Legislators Palumbo, Aldersley, Andrews, Bronson, Cruz, Eckel, Gamble, Haney, Heider, Lee, Lightfoot and O'Brien voted in the negative)
2. Smith & McCann
Intro. 370
- 07-0333
- Authorizing Intermunicipal Agreements With City Of Rochester And Towns And Villages In Monroe County For Provision Of Funds By Monroe County To Those Municipalities Such That They Experience No Loss Of Revenue As A Result Of Election Under Section 2 Of Chapter 58 Of The Laws Of 2005
Matter of Urgency
- Intro. 371
M. 103
- Eckel/Aldersley
A Motion to Amend Intro. 370 of 2007 as follows:
- “Section 1. The County Executive, or her designee, is hereby authorized to execute Intermunicipal agreements, and any amendments thereto, with the City of Rochester and the Towns and Villages and Suburban School Districts in Monroe County for the provision of funds by Monroe County to those municipalities such that they experience no loss of revenue as a result of the election under section 2 of chapter 58 of laws of 2005.”

President Zyra Ruled the Amendment Out of Order. Legislator Aldersley raised a Point of Order and Appealed the Ruling of the Chair. The Ruling of the Chair was sustained by the following vote:

Legislators Smith, Adair, Barker, Cassetti, Colby, DiRaddo, Dobson, Driscoll, Hanna, LaFountain Malta, McCann, Quatro, Tucciarello, Valerio, Yolevich and Zyra - 17

Legislators Palumbo, Aldersley, Andrews, Bronson, Cruz, Eckel, Gamble, Haney, Heider, Lee, Lightfoot and O'Brien - 12

President Zyra concurred with Legislator Smith's point of order in reference to Intro. No 370 of 2007. Legislator Palumbo made a motion to Appeal the Ruling of the Chair. The Ruling of the Chair was sustained by the following vote:

Legislators Smith, Adair, Barker, Cassetti, Colby, DiRaddo, Dobson, Driscoll, Hanna, LaFountain Malta, McCann, Quatro, Tucciarello, Valerio, Yolevich and Zyra - 17

Legislators Palumbo, Aldersley, Andrews, Bronson, Cruz, Eckel, Gamble, Haney, Heider, Lee, Lightfoot and O'Brien - 12

Legislator Smith raised an additional point of order stating that the subject matter raised by Legislator Aldersley was not related to Intro. No. 370 of 2007. President Zyra concurred with Legislator Smith and stated his ruling. Legislator Aldersley made a motion to Appeal the Ruling of the Chair and President Zyra's ruling was sustained by the following vote:

Legislators Smith, Adair, Barker, Cassetti, Colby, DiRaddo, Dobson, Driscoll, Hanna, LaFountain Malta, McCann, Quatro, Tucciarello, Valerio, Yolevich and Zyra - 17

Legislators Palumbo, Aldersley, Andrews, Bronson, Cruz, Eckel, Gamble, Haney, Heider, Lee, Lightfoot and O'Brien - 12

Intro. 370 Main Motion

Res. 350

17-12

(Legislators Palumbo, Aldersley, Andrews, Bronson, Cruz, Eckel, Gamble, Haney, Heider, Lee, Lightfoot and O'Brien voted in the negative)

3. Smith &
McCann
Intro. 372
Res. 351
17-12

07-0333

Authorizing Establishment Of Monroe County Motor Vehicle Registration Fee
Matter Of Urgency

(Legislators Palumbo, Aldersley, Andrews, Bronson, Cruz, Eckel, Gamble, Haney, Heider, Lee, Lightfoot and O'Brien voted in the negative)

Upon Motion by Legislator Smith, the Legislature adjourned at 8:15 P.M. until Tuesday, October 9, 2007 at 6:00 P.M.

DAVID M. BARRY, JR.
Clerk of the Legislature