

FOURTEENTH DAY

TUESDAY, NOVEMBER 13, 2007

Legislature met pursuant to adjournment.

President Wayne E. Zyra in the Chair.

ROLL CALL

Present — Legislators Adair, Andrews, Barker, Bronson, Cassetti, Colby, Cruz, Driscoll, DiRaddo, Dobson, Eckel, Gamble, Haney, Hanna, Heider, LaFountain, Lightfoot, Malta, McCann, O'Brien, Palumbo, Quatro, Smith, Tucciarello, Yolevich, Zyra — 26

Absent – Legislators Calvin Lee, Jr., Stephanie Polowe Aldersley and Mary A. Valerio - 3

Note: Legislator Valerio entered during the Invocation and Legislator Aldersley entered during the Public Forum.

Meeting formally opened. At the invitation of Legislator Michael G. Barker, Deacon Dan Kinsky, of St. John of Rochester Church, delivered the invocation. The Pledge of Allegiance to the Flag was led by Legislator David C. Malta.

Note: Legislator Valerio entered the Chambers and was present for the remainder of the meeting.

APPROVAL OF MINUTES

Without objection, the journals of the sessions of Day 12, October 9, 2007 and Day 13, October 31, 2007 were approved as submitted.

PETITIONS AND COMMUNICATIONS

NONE

PROCLAMATIONS

By the President of the Legislature — WAYNE E. ZYRA

Recognized Jointly with Legislators Stephen Tucciarello and Mary A. Valerio “Steve Murphy and Eddie Goolsby” for their heroic actions that ultimately saved a life.

Read and Filed.

Recognized Jointly with Legislators Stephen Tucciarello and Mary A. Valerio “Brittany Fedick” for her heroic actions that ultimately saved a life.

Read and Filed.

Recognized Jointly with Legislators Mary A. Valerio and Carrie M. Andrews “Breast Cancer Coalition of Rochester” for ten years of service to the Greater Rochester community.

Read and Filed.

RECESS

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

‘Authorizing A Real Property Tax Exemption For Cold War Veterans Under Real Property Tax Law Section 458-b.’ No speakers addressed the Legislature and the hearing concluded at 6:15 P.M.

RECONVENING LEGISLATURE

President Zyra reconvened the recessed meeting of November 13, 2007 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. Four speakers addressed the Legislature on various subjects and the Open Forum concluded at 6:24 P.M.

Note: Legislator Aldersley entered the Chambers and was present for the remainder of the meeting.

RECESS

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

RECONVENING LEGISLATURE

President Zyra reconvened the recessed meeting of November 13, 2007 and proceeded under the Usual Order of Business.

LOCAL LAWS

1. DiRaddo & LaFountain
Intro. 400
M. 108
28-0 07-0307 Providing that Local Law (Intro. No. 373 of 2007) Entitled, “Authorizing A Real Property Tax Exemption For Cold War Veterans Under Real Property Tax Law Section 458-b”- Be Lifted From The Table
2. DiRaddo & LaFountain
Intro. 401
M. 109
28-0 07-0307 Providing That Local Law (Intro. No. 373 of 2007) Entitled, “Authorizing A Real Property Tax Exemption For Cold War Veterans Under Real Property Tax Law Section 458-b,” Be Adopted
Agenda/Charter Committee; September 24, 2007 – CV: 5-0
Ways and Means Committee; September 25, 2007 – 8-0

Intro. 373 Main Motion
Local Law No. TBA

28-0

3. Driscoll & Barker Intro. 402 07-0338 Amending Local Law No. 1 Of 2001, As Amended By Local Law Nos. 6 And 8 Of 2002, Local Laws Nos. 3,8 And 14 Of 2003, Local Law Nos. 2 And 3 Of 2004, Local Law Nos. 6 And 7 Of 2005 And Local Law Nos. 2, 3, 6, 9 And 10 Of 2006 And Local Law Nos. 1, 4, 7 And 8 Of 2007 To Revise Empire Zone Boundary Planning and Economic Development Committee; October 22, 2007 – CV: 5-0
(For Introductory Purposes Only)
4. Driscoll & Barker Intro. 403 07-0338 Providing that Local Law (Intro. No. 402 of 2007), Entitled “Amending Local Law No. 1 Of 2001, As Amended By Local Law Nos. 6 And 8 Of 2002, Local Laws Nos. 3,8 And 14 Of 2003, Local Law Nos. 2 And 3 Of 2004, Local Law Nos. 6 And 7 Of 2005 And Local Law Nos. 1, 4, 7 And 8 Of 2007 To Revise Empire Zone Boundary,” Be Tabled
M. 110 28-0
5. Driscoll & Barker Intro. 404 Res. 374 07-0338 Fixing a Public Hearing On Local Law (Intro. No.402 of 2007), Entitled “Amending Local Law No. 1 Of 2001, As Amended By Local Law Nos. 6 And 8 Of 2002, Laws Nos. 3, 8 And 14 Of 2003, Local Law Nos. 2 And 3 Of 2004, Local Law And 7 Of 2005 And Local Law Nos. 2, 3, 6, 9 And 10 Of 2006 And Local Law 4, 7 And 8 Of 2007 To Revise Empire Zone Boundary”
Local Nos. 6 Nos. 1, 28-0
(Public Hearing is scheduled for Tuesday, December 11, 2007 at 6:19 P.M.)
6. Dobson & LaFountain Intro. 405 07-0352 Enacting Local Law Authorizing Lease By Negotiation To FMS New York, Inc. To Use And Occupy Space At Monroe Community Hospital, 435 E. Henrietta Road, Rochester, New York
Human Services Committee; October 23, 2007 – CV: 8-0
Ways and Means Committee; October 24, 2007 – CV: 10-0
(For Introductory Purposes Only)
7. Dobson & LaFountain Intro. 406 M. 111 07-0352 Providing that Local Law (Intro. No.405 of 2007), Entitled “Enacting Local Law Authorizing Lease By Negotiation To FMS New York, Inc. To Use And Occupy Space At Monroe Community Hospital, 435 E. Henrietta Road, Rochester, New York” Be Tabled
28-0
8. Dobson & LaFountain Intro. 407 Res. 375 07-0352 Fixing a Public Hearing On Local Law (Intro. No. 405 of 2007), Entitled “Enacting Local Law Authorizing Lease By Negotiation To FMS New York, Inc. To Use And Occupy Space At Monroe Community Hospital, 435 E. Henrietta Road, Rochester, New York”
New 28-0
(Public Hearing is scheduled for Tuesday, December 11, 2007 at 6:20 P.M.)

MOTIONS, RESOLUTIONS AND NOTICES

9. Driscoll & Barker Intro. 408 Res. 376 07-0340 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
28-0
Planning and Economic Development Committee; October 22, 2007 – CV: 5-0
10. Barker & LaFountain Intro. 409 Res. 377 07-0341 Accepting Grant From United States Department Of Justice, Office Of Justice Programs, For FY 2007 Forensic Casework DNA Backlog Reduction Program
28-0
Public Safety Committee; October 22, 2007 – CV: 8-0
Ways and Means Committee; October 24, 2007 – CV: 10-0

11. Smith, Barker & LaFountain
Intro. 410
Res. 378
28-0
07-0342
Authorizing Contract With Daniel Collins To Provide Blacksmith Services For Monroe County Sheriff's Office Mounted Unit
Public Safety Committee; October 22, 2007 – CV: 8-0
Ways and Means Committee; October 24, 2007 – CV: 10-0
12. Barker & LaFountain
Intro. 411
Res. 379
28-0
07-0343
Amending the 2007-2012 Capital Improvement Program To Add Capital Project Entitled "Jail Radio Replacement Project"
Public Safety Committee; October 22, 2007 – CV: 8-0
Ways and Means Committee; October 24, 2007 – CV: 10-0
13. Barker & LaFountain
Intro. 412
Res. 380
28-0
07-0343 br.
Resolution Authorizing The Issuance Of \$875,000 Bonds Of The County Of Monroe, New York, To Finance The Cost Of The Replacement Of The Jail Bureau Radio System, In And For Said County, At An Estimated Maximum Cost Of 875,000
Public Safety Committee; October 22, 2007 – CV: 8-0
Ways and Means Committee; October 24, 2007 – CV: 10-0
14. Dobson & LaFountain
Intro. 413
Res. 381
28-0
07-0344
Amending Resolution 13 Of 2007, As Amended By Resolution 234 of 2007, To Accept Additional Funding From New York State Office Of Temporary And Disability Assistance For 2006-2007 Home Energy Assistance Program
Human Services Committee; October 23, 2007 – CV: 8-0
Ways and Means Committee; October 24, 2007 – CV: 10-0
15. Dobson & LaFountain
Intro. 414
Res. 382
28-0
07-0345
Accepting Grant From New York State Department Of Health For Consolidated Child And Family Health Program
Human Services Committee; October 23, 2007 – CV: 8-0
Ways and Means Committee; October 24, 2007 – CV: 10-0
16. Dobson & LaFountain
Intro. 415
Res. 383
28-0
07-0346
Accepting Grant From New York State Department Of Health For Healthy Neighborhoods Program
Human Services Committee; October 23, 2007 – CV: 8-0
Ways and Means Committee; October 24, 2007 – CV: 10-0
17. Dobson & LaFountain
Intro. 416
Res. 384
28-0
07-0347
Accepting Grant From New York State Division Of Criminal Justice Services For Aid To Crime Laboratories Program Related To Medical Examiner's Office
Human Services Committee; October 23, 2007 – CV: 8-0
Ways and Means Committee; October 24, 2007 – CV: 10-0
18. Dobson & LaFountain
Intro. 417
Res. 385
28-0
07-0348
Accepting Grant From New York State Department Of Health For Tobacco Enforcement Program
Human Services Committee; October 23, 2007 – CV: 8-0
Ways and Means Committee; October 24, 2007 – CV: 10-0
19. Dobson & LaFountain
Intro. 418
Res. 386
28-0
07-0349
Authorizing Contract With Morrison Healthcare, Inc. For Food, Dietary And Vending Management At Monroe Community Hospital
Human Services Committee; October 23, 2007 – CV: 8-0
Ways and Means Committee; October 24, 2007 – CV: 10-0
20. Dobson & LaFountain
Intro. 419
Res. 387
28-0
07-0350
Authorizing Contract With Mobile Diagnostic Testing Services, Inc., d/b/a HealthTrac, For Radiology Services At Monroe Community Hospital
Human Services Committee; October 23, 2007 – CV: 8-0
Ways and Means Committee; October 24, 2007 – CV: 10-0

21. Dobson & LaFountain 07-0351 Authorizing License Agreement With Alzheimer's Disease And Related Disorders Association – Rochester Chapter, Inc. For Use Of Space At Monroe Community Hospital, 435 East Henrietta Road, Rochester, New York
Intro. 420 Human Services Committee; October 23, 2007 – CV: 8-0
Res. 388 Ways and Means Committee; October 24, 2007 – CV: 10-0
28-0
22. Cassetti & LaFountain 07-0353 Confirming and Adopting Assessment Rolls Of Pure Waters Sewer Districts For 2008 And Confirmation And Adoption Of Assessment Rolls
Intro. 421 Environment and Public Works Committee; October 24, 2007 - CV: 7-0
Ways and Means Committee; October 24, 2007 – CV: 10-0
(For Introductory Purposes Only)
23. Cassetti & LaFountain 07-0353 Providing That Resolution (Intro. No. 421 Of 2007), Entitled “Confirming And Adopting Assessment Rolls Of Pure Waters Sewer Districts For 2008,” Be Tabled
Intro. 422
M. 112
28-0
24. Cassetti & LaFountain 07-0353 Scheduling Public Hearings For Assessment Rolls Of Pure Waters Sewer Districts For 2008 And Confirmation And Adoption Of Assessment Rolls
Intro. 423 *(Public Hearings are scheduled for Thursday, December 6, 2007 at 5:31 p.m. before the Ways and Means Committee)*
Res. 389
28-0
25. Tucciarello, Malta & LaFountain 07-0355 Authorizing Advertisement For Bids And Authorizing Intermunicipal Agreement With Town Of Perinton For Sanitary Sewers For Garnsey Road Improvement Project In Town Of Perinton
Intro. 424 Transportation Committee; October 24, 2007 – CV: 8-0
Res. 390 Intergovernmental Relations Committee; October 24, 2007 – CV: 3-0
28-0 Ways and Means Committee; October 24, 2007 – CV: 10-0
26. Tucciarello & LaFountain 07-0356 Authorizing Department of Transportation To Advertise For Bids For Mill Road I Improvement Project In Town Of Greece
Intro. 425 Transportation Committee; October 24, 2007 – CV: 8-0
Res. 391 Ways and Means Committee; October 24, 2007 – CV: 10-0
28-0

Matters of Urgency

27. LaFountain & McCann 07-0425 Adoption of Monroe County Annual Budget for the Year 2008 and Establishing 2008 Monroe County Classification, Compensation and Salary Schedule for Monroe County Employees
Intro. 426 Matter Of Urgency
(For Introductory Purposes Only)
28. LaFountain & McCann 07-0425 Providing that Resolution (Intro. No. 425 of 2007), Entitled “Adoption of Monroe County Annual Budget for the Year 2008 and Establishing 2008 Monroe County Classification, Compensation and Salary Schedule for Monroe County Employees,” Be Tabled
Intro. 427 Matter Of Urgency
M. 113
28-0
29. LaFountain & McCann 07-0425 Fixing Public Hearing on Resolution (Intro. No. 426 of 2007), Entitled “County Executive’s Proposed Annual Budget For 2008”
Intro. 428 Matter Of Urgency
Res. 392
28-0
(Public Hearing is scheduled for Thursday, December 6, 2007 at 5:35 P.M. before the Ways and Means Committee)
30. LaFountain & McCann 07-0426 Authorizing Application To The New York State Department Of State Shared Municipal Services Incentive Grant Program To Reduce County Health Care Costs
Intro. 429 Matter Of Urgency

Res. 393
28-0

31. Cassetti, 07-0427 Authorizing Application To The New York State Department Of State Shared
Tucciarello & Municipal Services Incentive Grant Program For Acquisition Of Shared Equipment
LaFountain Matter Of Urgency
Intro. 430
Res. 394
28-0
32. LaFountain & 07-0428 Proposed Agreement Between Monroe County And The International Union Of Operating
McCann Engineers Local 832-S
Intro. 431 Matter Of Urgency
Res. 395
28-0
33. Quatro & 07-0429 Requesting Information From County Attorney For Public Defender Appointment Process
Barker Matter Of Urgency
Intro. 432
Res. 396
28-0

UNFINISHED BUSINESS

Intro. 433
M. 114
28-0

Eckel/LaFountain
Motion to Discharge Referral 07-0095 from the Ways and Means Committee

34. Eckel & 07-0095 Amending Monroe County Code Chapter 357, Article XII, To Extend Residential-
LaFountain Commercial Urban Exemption (RESCUE) Program
Intro. 434 *(For Introductory Purposes Only)*
35. Eckel & 07-0095 Providing That Local Law (Intro. No. 434 of 2007), Entitled, "Amending Monroe
LaFountain County Code Chapter 357, Article XII, To Extend Residential –Commercial
Intro. 435 Urban Exemption (Rescue) Program," Be Tabled
M. 115
28-0
36. Eckel & 07-0095 Fixing A Public Hearing On Local Law (Intro. No. 434 of 2007), Entitled
LaFountain "Amending Monroe County Code Chapter 357, Article XII, To Extend Residential
Intro. 436 –Commercial Urban Exemption (Rescue) Program"
Res. 397 *(Public Hearing is scheduled for Tuesday, December 11, 2007 at 6:21 P.M.)*
28-0

Upon Motion by Legislator Smith, the Legislature adjourned at 6:40 P.M. until Tuesday, December 11, 2007 at 6:00 P.M.

CHERYL M. ROZZI
Deputy Clerk of the Legislature