

SECOND DAY

TUESDAY, FEBRUARY 3, 2009

Legislature met pursuant to adjournment.

President Wayne E. Zyra in the Chair.

ROLL CALL

Present — Legislators Adair, Andrews, Barker, Beebe, Bronson, Cassetti, Colby, Cruz, Daniele, Dobson, Driscoll, Esposito, Eckel, Gumina, Haney, Hanna, Heider, Kaleh, LaFountain, Lee, Lightfoot, McCann, O'Brien, Quatro, Tucciarello, Valerio, Yolevich, Zyra - 28

Absent – Legislator Gamble - 1

Meeting formally opened. At the invitation of Legislator Edward M. O'Brien, Father Tim Horan of St. Margaret Mary's Church of Rochester, delivered the invocation. The Pledge of Allegiance to the Flag was led by Legislator Willie J. Lightfoot.

APPROVAL OF MINUTES

Without objection, the journal of the session of Day 1 of 2009, January 13, 2009 was approved as submitted.

Note: President Zyra recognized former Legislator H. Todd Bullard

PETITIONS AND COMMUNICATIONS

PROCLAMATIONS

By the President of the Legislature — Wayne E. Zyra

Recognized “Gabrielle Angeline Monachino” for her many remarkable achievements as a young musician.

Read and Filed.

Recognized Jointly with Legislator Stephen Tucciarello “Nancy Switzer” for her outstanding commitment to our Veterans.

Read and Filed.

Recognized Jointly with Legislators Michael G. Barker and Cynthia Kaleh “Nazareth Academy Varsity Soccer Team” on an incredibly successful 2008 season.

Read and Filed.

Recognized Jointly with Legislators Vincent Esposito, Edward M. O'Brien, C. Stephen Eckel "West Irondequoit Lady Eagles Volleyball Team for their hard work and outstanding achievement.

Read and Filed.

Recognized Jointly with Legislator Willie J. Lightfoot "Dr. William Morehouse and His Branches" for more than thirty years of exceptional service to the community.

Read and Filed.

Recognized Jointly with Legislator Willie J. Lightfoot "J. Bediaku Afoh-Manin and the 19th Ward Community Association" for exceptional service to the community.

Read and Filed.

Recognized Jointly with Legislator Willie J. Lightfoot "Phil Greene and Future Boxing Club" for their deep dedication to the Rochester Community.

Read and Filed.

FORMAL COMMITTEE REPORTS

NONE

PUBLIC FORUM

An Open Forum was conducted to allow speakers to address the Legislature. Two speakers addressed the Legislature on various subjects and the Open Forum concluded at 6:49 P.M.

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 February 3, 2009 and proceeded under the Usual Order of Business.

MOTIONS, RESOLUTIONS AND NOTICES

- | | | | |
|----|---|---------|--|
| 1. | Yolevich & Dobson
Intro. 33
Res. 20
28-0 | 09-0003 | Confirmation Of Appointment To Genesee Valley Regional Market Authority |
| 2. | Barker & LaFountain
Intro. 34 | 09-0008 | Accepting Grant From New York State Governor's Traffic Safety Committee For "Buckle Up New York" Enforcement Campaign
Public Safety Committee: January 26, 2009 – CV: 9-0 |

- Res. 31
28-0
- Ways and Means Committee; January 28, 2009 – CV: 9-0
13. Yolevich & Dobson
Intro. 45
Res. 32
28-0
- 09-0019
- Confirmation Of Reappointments To Monroe County Airport Authority
Agenda/Charter Committee; January 26, 2009 – CV: 4-0
14. Adair, Yolevich & Dobson
Intro. 46
Res. 33
28-0
- 09-0020
- Confirmation Of Appointment and Reappointment To Monroe County Board Of Health
Agenda/Charter Committee; January 26, 2009 – CV: 4-0
15. Yolevich & Dobson
Intro. 47
Res. 34
28-0
- 09-0021
- Designation Of Official Newspapers
Agenda/Charter Committee; January 26, 2009 – CV: 4-0
16. Valerio & LaFountain
Intro. 48
Res. 35
28-0
- 09-0022
- Authorizing Contracts With Gay Alliance Of The Genesee Valley, Ten Ugly Men, Inc., Operation Patriot Foundation, Inc., Springut Group, Inc., and Roc Rib Fest LLC For Ticketed Events In Monroe County Parks
Recreation and Education Committee; January 27, 2009 – CV: 4-0
Ways and Means Committee; January 28, 2009 – CV: 9-0
17. Daniele, Barker & LaFountain
Intro. 49
Res. 36
28-0
- 09-0023
- Authorizing Intermunicipal Agreements With Ten Municipalities For STOP-DWI Law Enforcement Program
Intergovernmental Relations Committee; January 27, 2009 – CV: 5-0
Public Safety Committee; January 26, 2009 – CV: 9-0
Ways and Means Committee; January 28, 2009 – CV: 9-0
18. Hanna & LaFountain
Intro. 50
Res. 37
28-0
- 09-0024
- Amending Resolution 284 Of 2008 To Accept Additional Funding From New York State Office Of Temporary And Disability Assistance For 2008-2009 Home Energy Assistance Program
Human Services Committee; January 27, 2009 – CV: 5-0
Ways and Means Committee; January 28, 2009 – CV: 9-0
19. Hanna & LaFountain
Intro. 51
Res. 38
28-0
- 09-0025
- Accepting Grant From New York State Department Of Health For HIV Partner Services Program
Human Services Committee; January 27, 2009 – CV: 5-0
Ways and Means Committee; January 28, 2009 – CV: 9-0
20. Hanna & LaFountain
Intro. 52
Res. 39
28-0
- 09-0026
- Accepting Grant From Society For Protection And Care Of Children, Inc. For Monroe County Nurse Family Partnership Program
Human Services Committee; January 27, 2009 – CV: 5-0
Ways and Means Committee; January 28, 2009 – CV: 9-0
21. Hanna, Daniele & LaFountain
Intro. 53
Res. 40
28-0
- 09-0027
- Authorizing Intermunicipal Agreement With Town Of Webster, Town Of Penfield And Irondequoit Bay South Central Pure Waters District To Provide Sanitary Sewage Conveyance And Treatment Services For Properties In Northeast Penfield
Environment and Public Works Committee; January 28, 2009 – CV: 6-0
Intergovernmental Relations Committee; January 27, 2009 – CV: 5-0
Ways and Means Committee; January 28, 2009 – CV: 9-0

22. Cassetti & LaFountain
Intro. 54
Res. 41
28-0
09-0029
Authorizing Contracts With Blue Heron Construction Company, Concord Electric Corporation, Cogenic, LLC And Lloyd Mechanical Company, LLC For Construction Services For Irondequoit Bay South Central Pure Waters District's Pattonwood Pump Station Improvements Project
Environment and Public Works Committee; January 28, 2009 – CV: 6-0
Ways and Means Committee; January 28, 2009 – CV: 9-0
23. Cassetti & LaFountain
Intro. 55
Res. 42
27-0-1
09-0031
Consenting To Financing By Monroe County Water Authority Of East Side Water Facilities Capital Project
Environment and Public Works Committee; January 28, 2009 – CV: 4-1-1
Ways and Means Committee; January 28, 2009 – CV: 7-1-1
(Legislator O'Brien abstained from voting with the permission of President Zyra)
24. Cassetti & LaFountain
Intro. 56
Res. 43
28-0
09-0032
Authorizing Contracts With Clough Harbour & Associates, LLP And Passero Associates For Airport Consultant Services for Greater Rochester International Airport
Environment and Public Works Committee; January 28, 2009 – CV: 6-0
Ways and Means Committee; January 28, 2009 – CV: 9-0
25. Colby & LaFountain
Intro. 57
Res. 44
28-0
09-0034
Authorizing Acquisition Of Property Interests In Real Property For Flynn Road Culvert Project In Town Of Greece
Transportation Committee; January 28, 2009 – CV: 7-0
Ways and Means Committee; January 28, 2009 – CV: 9-0
26. Colby & LaFountain
Intro. 58
Res. 45
28-0
09-0035
Authorizing Acquisition Of Property Interests For Construction And Maintenance Of Traffic Signal Equipment At South Clinton Avenue And Westfall Road, Town Of Brighton; Ridgway Avenue, Town Of Greece; And Elmwood Avenue, City Of Rochester
Transportation Committee; January 28, 2009 – CV: 7-0
Ways and Means Committee; January 28, 2009 – CV: 9-0
27. Yolevich, Colby & LaFountain
Intro. 59
Res. 46
28-0
09-0036
Authorizing Advertisement For Bids For Wilder Road Bridge At Salmon Creek Project In Town Of Parma
Transportation Committee; January 28, 2009 – CV: 7-0
Ways and Means Committee; January 28, 2009 – CV: 9-0
28. Daniele, Colby & LaFountain
Intro. 60
Res. 47
28-0
09-0037
Authorizing Advertisement For Bids For Marsh Road Bridge At Cullen's Run Creek Project In Town Of Penfield
Transportation Committee; January 28, 2009 – CV: 7-0
Ways and Means Committee; January 28, 2009 – CV: 9-0
29. Valerio, Colby & LaFountain
Intro. 61
Res. 48
28-0
09-0038
Authorizing Advertisement For Bids For Stottle Road Bridge At Black Creek Project In Town Of Chili
Transportation Committee; January 28, 2009 – CV: 7-0
Ways and Means Committee; January 28, 2009 – CV: 9-0
30. Colby & LaFountain
Intro. 62
Res. 49
09-0039
Authorizing Contract With New York State Department Of Transportation To Interconnect The Emerson Street At Curlew Street Traffic Signal, Traffic Signal #346, With Adjacent CSX Railroad Crossing On Emerson Street
Transportation Committee; January 28, 2009 – CV: 7-0

28-0 Ways and Means Committee; January 28, 2009 – CV: 9-0

31. Colby, 09-0040 Amending 2009-2014 Capital Improvement Program And 2009 Capital Budget To Add
Barker, Project Entitled “Safe Routes To School Programs;” Authorizing Financing For Project;
Daniele & Authorizing Contract With New York State Department Of Transportation; Authorizing
LaFountain Intermunicipal Agreement With City Of Rochester
Intro. 63 Transportation Committee; January 28, 2009 – CV: 7-0
Res. 50 Public Safety Committee; January 26, 2009 – CV: 9-0
28-0 Intergovernmental Relations Committee; January 27, 2009 – CV: 5-0
Ways and Means Committee; January 28, 2009 – CV: 9-0
32. Colby, 09-0040 br. Resolution Authorizing The Issuance Of \$348,000 Bonds Of The County Of Monroe,
Barker, New York, To Finance The Cost Of Traffic Signs And Related Improvements For The
Daniele & Safe Routes To School Program, In And For Said County, At An Estimated Maximum
LaFountain Cost Of \$348,000
Intro. 64 Transportation Committee; January 28, 2009 – CV: 7-0
Res. 51 Public Safety Committee; January 26, 2009 – CV: 9-0
28-0 Intergovernmental Relations Committee; January 27, 2009 – CV: 5-0
Ways and Means Committee; January 28, 2009 – CV: 9-0
33. Colby & 09-0041 Amending the 2009-2014 Capital Improvement Program And 2009 Budget to Add A
LaFountain Project Entitled “Preventative Maintenance Program;” Authorizing Financing For Project;
Intro. 65 And Authorizing Contract with New York State Department Of Transportation
Res. 52 Transportation Committee; January 28, 2009 – CV: 7-0
28-0 Transportation Committee; January 28, 2009 – CV: 9-0
34. Colby & 09-0041 br. Resolution Authorizing The Issuance Of \$270,000 Bonds Of The County Of Monroe,
LaFountain New York, To Finance The Cost Of The Planning And Design For A Preventative
Intro. 66 Maintenance Program For Certain County Roads, In And For Said County, At An
Res. 53 Estimated Maximum Cost Of \$270,000
28-0 Transportation Committee; January 28, 2009 – CV: 7-0
Ways and Means Committee; January 28, 2009 – CV: 9-0
35. LaFountain & 09-0042 Accepting Grant From New York State Education Department For Microfilm
Barker Restoration Project
Intro. 67 Ways and Means Committee; January 28, 2009 – CV: 9-0
Res. 54
28-0
36. LaFountain & 09-0043 Authorizing Sale Of County Owned Tax Foreclosed Property, Town Of
Barker Penfield
Intro. 68 Ways and Means Committee; January 28, 2009 – CV: 9-0
Res. 55
28-0
37. LaFountain & 09-0044 Authorizing Sale Of County Owned Tax Foreclosed Property, Village Of
Barker Spencerport
Intro. 69 Ways and Means Committee; January 28, 2009 – CV: 9-0
Res. 56
28-0
38. Barker & 09-0074 Approving Agreement Among Monroe County Executive, Monroe County Sheriff And
LaFountain Civil Service Employee Association – Sheriff Command Unit
Intro. 70 Matter Of Urgency
Res. 57
28-0

39. Yolevich & Dobson
Intro. 71
Res. 58
28-0
- 09-0075 Appointment To The Cultural Commission
Matter Of Urgency

UNFINISHED BUSINESS

Intro. 72
M. 15
28-0

Quatro/Cassetti
Motion to Discharge From Committee File No. 09-0045

40. Quatro & Driscoll
Intro. 73
Res. 59
28-0
- 09-0045 Authorizing Contract With Clark Patterson Lee for Professional Services For
Monroe County Pediatrics And Community Visitation Center Project

Intro. 74
M. 16
28-0

Cassetti/Barker
Motion to Discharge From Committee File No. 09-0033

41. Quatro & Driscoll
Intro. 75
- 09-0033 Authorizing Agreement With Main & Clinton Local Development
Corporation, Monroe Community College And Rochester-Genesee
Regional Transportation Authority For Interim Phase Of Renaissance
Square Project; Authorizing Agreement With Main & Clinton Local
Development Corporation For County To Provide Management Services

Intro. 76
M. 17
13-15 F

Haney/Beebe
Motion to Amend Intro. No. 75 of 2009 to read as follows:

“To strike the following from Specific Legislative Action #1:

“1. Authorize the County Executive, or her designee, to execute a contract with Main & Clinton Local Development Corporation, Monroe Community College and The Rochester-Genesee Regional Transportation Authority to provide the local share for the Interim phase of the Renaissance Square project, in the initial amount of \$2,300,000 contributed by Monroe County ~~along with any amendments necessary to complete the project within the total capital fund appropriation.~~

(Legislators Bronson, Andrews, Beebe, Cruz, Eckel, Esposito, Gumina, Haney, Heider, Kaleb, Lee, Lightfoot, O'Brien voted in the positive)

Intro. 75
Res. 60
28-0

Main Motion

Upon Motion by Legislator E. Daniel Quatro, the Legislature adjourned at 8:15 P.M. until Tuesday, March 10, 2009 at 6:00 p.m.

LISA POLITO NICOLAY
Clerk of the Legislature