

NINTH DAY

TUESDAY, July 12, 2016

Legislature met pursuant to adjournment.

President Anthony J. Daniele in the Chair.

ROLL CALL

Present – Legislators Allkofer, Ancello, Bauroth, Boyce, Brew, Brown, Conley, Daniele, Delehanty, DiFlorio, Drawe, Felder, Flagler-Mitchell, Harris, Hebert, Howland, Kaleh, Lightfoot, Marianetti, Micciche, Morelle, Jr., Muoio, Rockow, Sheppard, Taylor, Terp, Wilcox, Zale – 28

Absent – Legislator Carbone – 1

The meeting formally opened. Prayer led by Pastor Bruce Plummer of Christ Community Church, at the invitation of Legislator Mike Zale. The Pledge of Allegiance to the Flag was led by Legislator Tanya Conley.

IN MEMORIAM

28. Marianetti & Kaleh Intro. 222 Res. 163 28-0	16-0236	Expressing Regret of the Monroe County Legislature on the Recent Passing of Irene Gossin, Former Monroe County Legislator and Penfield Town Supervisor Matter of Urgency
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APPROVAL OF MINUTES

Without objection, the Journal of Day 8, June 14, 2016 was approved as submitted.

Note: President Daniele acknowledged Former Monroe County Legislator and Gates Town Supervisor Mark Assini.

PETITIONS AND COMMUNICATIONS

None

PROCLAMATIONS

By the President of the Legislature – Anthony J. Daniele

Recognized jointly with Legislator Frank X. Allkofer, Quintino and Nellie DiCesare, for their dedication to the Town of Gates and Monroe County.

Read and Filed.

Recognized jointly with Legislators Steve Brew and Tracy DiFlorio, the Churchville-Chili Men's Track and Field

Team, for achieving their first undefeated season in 22 years.

Read and Filed.

Recognized jointly with Legislators George J. Hebert, Frank X. Allkofer, Tina Brown, and Mike Zale, the Spencerport Rangers FIRST Team 3015, for being National Finalists at the 2016 FIRST Robotics Competition.

Read and Filed.

Recognized jointly with Legislators Cynthia W. Kaleh and James M. Sheppard, Scott Fearing, for his role as Executive Director of the Gay Alliance of the Genesee Valley.

Read and Filed.

Recognized jointly with Legislators James M. Sheppard, Justin F. Wilcox, and Joshua Bauroth, the Brighton Public Forum Debate Teams, for competing in the State Tournament at Hofstra University.

Read and Filed.

RECESS

President Daniele recessed the meeting to allow for a Public Hearing entitled...

“Adopting 2017-2022 Capital Improvement Program”

No speakers addressed the Legislature and the Public Hearing concluded at 6:47 P.M.

FORMAL COMMITTEE REPORTS

None

PUBLIC FORUM

An Open Forum was conducted to allow speakers to address the Legislature. There were five speakers and the Open Forum concluded at 7:02 P.M.

MOTIONS, RESOLUTIONS AND NOTICES

- | | | |
|---|---------|---|
| 1. Conley &
Taylor
Intro. 223
Res. 164
20-8 | 16-0155 | Adopting 2016 Annual Work Program for Monroe County Legislature
Agenda/Charter Committee; June 27, 2016 – CV: 3-2
<i>(Legislators Bauroth, Flagler-Mitchell, Harris, Lightfoot, Morelle, Jr., Muoio, Sheppard, and Wilcox
Voted in the Negative.)</i> |
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2. DiFlorio,
Micciche,
Boyce,
Terp,
Zale,
Howland,
Taylor &
Drawe
Intro. 224
M. 53
28-0 16-0165 Providing that Resolution (Intro. No. 202 of 2016), “Adopting 2017-2022 Capital Improvement Program,” Be Lifted from the Table

3. DiFlorio,
Micciche,
Boyce,
Terp,
Zale,
Howland,
Taylor &
Drawe
Intro. 225
M. 54

Intro. 202
Res. 165
28-0 16-0165 Providing that Resolution (Intro. No. 202 of 2016), “Adopting 2017-2022 Capital Improvement Program,” Be Adopted

Main Motion

4. Boyce &
Brew
Intro. 226
Res. 166
28-0 16-0182 Confirmation of Appointment to Monroe County Soil and Water Conservation Board

5. DiFlorio &
Boyce
Intro. 227 16-0189 Authorizing Additions to Three Monroe County Agricultural Districts Planning and Economic Development Committee; June 27, 2016 – CV: 5-0
(For Introductory Purposes Only)

6. DiFlorio &
Boyce
Intro. 228
M. 55
28-0 16-0189 Providing that Resolution (Intro. No. 227 of 2016), Entitled "Authorizing Additions to Three Monroe County Agricultural Districts," Be Tabled

7. DiFlorio &
Boyce
Intro. 229
Res. 167
28-0

Intro. 230
M. 56
28-0 16-0189 Fixing a Public Hearing by the Planning and Economic Development Committee of the Monroe County Legislature on Resolution (Intro. No. 227 of 2016) Entitled, “Authorizing Additions to Three Monroe County Agricultural Districts”
(Public Hearing is scheduled for Monday, August 22, 2016 at 5:15 p.m. before a meeting of the Planning and Economic Development Committee)

Marianetti/Kaleh
Motion to Move Agenda Items 8 through 27 as a Whole

8. Micciche & Drawe
Intro. 231
Res. 168
28-0
16-0190 Accepting Grant from New York State Division of Homeland Security and Emergency Services for FY2016 State Law Enforcement Terrorism Prevention Program
Public Safety Committee; June 27, 2016 – CV: 9-0
Ways and Means Committee; June 28, 2016 – CV: 10-0
9. Micciche & Drawe
Intro. 232
Res. 169
28-0
16-0191 Accepting Grant from New York State Division of Homeland Security and Emergency Services for FY2016 State Homeland Security Program
Public Safety Committee; June 27, 2016 – CV: 9-0
Ways and Means Committee; June 28, 2016 – CV: 10-0
10. Micciche & Drawe
Intro. 233
Res. 170
28-0
16-0192 Amending Resolution 234 of 2015 to Accept Additional Funding from New York State Office of Victim Services for Victim and Witness Assistance Program for District Attorney's Office
Public Safety Committee; June 27, 2016 – CV: 9-0
Ways and Means Committee; June 28, 2016 – CV: 10-0
11. Micciche & Drawe
Intro. 234
Res. 171
28-0
16-0193 Amending Resolution 235 of 2015 to Accept Additional Funding from New York State Office of Victim Services for Sheriff's Victim Assistance Program
Public Safety Committee; June 27, 2016 – CV: 9-0
Ways and Means Committee; June 28, 2016 – CV: 10-0
12. Micciche & Drawe
Intro. 235
Res. 172
28-0
16-0194 Amending Resolution 105 of 2016 to Accept Additional Funding from United States Department of Justice, United States Attorney, for Organized Crime Drug Enforcement Task Forces State and Local Overtime and Authorized Expense Agreement for Fiscal Year 2016
Public Safety Committee; June 27, 2016 – CV: 9-0
Ways and Means Committee; June 28, 2016 – CV: 10-0
13. Micciche & Drawe
Intro. 236
Res. 173
28-0
16-0195 Accepting Grant from New York State Thruway Authority/New York State Canal Corporation for New York State Canal Corporation Marine Patrol Matching Grant Program
Public Safety Committee; June 27, 2016 – CV: 9-0
Ways and Means Committee; June 28, 2016 – CV: 10-0
14. Micciche & Drawe
Intro. 237
Res. 174
28-0
16-0196 Accepting Grant from National Rifle Association Foundation Board to Purchase Thermal Imager for Monroe County Sheriff's Office
Public Safety Committee; June 27, 2016 – CV: 9-0
Ways and Means Committee; June 28, 2016 – CV: 10-0
15. Zale,
Micciche & Drawe
Intro. 238
Res. 175
28-0
16-0197 Authorizing Intermunicipal Agreement with Penfield Central School District for Purchase of Fuel for Vehicles of Monroe County Sheriff's Office
Intergovernmental Relations Committee; June 28, 2016 – CV: 5-0
Public Safety Committee; June 27, 2016 – CV: 9-0
Ways and Means Committee; June 28, 2016 – CV: 10-0
16. Zale,
Micciche & Drawe
Intro. 239
Res. 176
28-0
16-0198 Authorizing Intermunicipal Agreement with Churchville-Chili Central School District for Purchase of Fuel for Vehicles of Monroe County Sheriff's Office
Intergovernmental Relations Committee; June 28, 2016 – CV: 5-0
Public Safety Committee; June 27, 2016 – CV: 9-0
Ways and Means Committee; June 28, 2016 – CV: 10-0

17. Zale, Micciche & Drawe
Intro. 240
Res. 177
28-0
16-0199 Authorizing Intermunicipal Agreement with Spencerport Central School District for Purchase of Fuel for Vehicles of Monroe County Sheriff's Office
Intergovernmental Relations Committee; June 28, 2016 – CV: 5-0
Public Safety Committee; June 27, 2016 – CV: 9-0
Ways and Means Committee; June 28, 2016 – CV: 10-0
18. Zale & Howland
Intro. 241
Res. 178
28-0
16-0200 Authorizing Intermunicipal Agreement with New York State Department of Transportation for Shared Fiber Optic Pathway in County of Monroe
Intergovernmental Relations Committee; June 28, 2016 – CV: 5-0
Transportation Committee; June 28, 2016 – CV: 6-0
19. Howland & Drawe
Intro. 242
Res. 179
28-0
16-0201 Authorizing Contract with C.P. Ward, Inc., for Construction Services for Woodruff Road Culvert over Honeoye Creek Tributary Project in Town of Rush
Transportation Committee; June 28, 2016 – CV: 6-0
Ways and Means Committee; June 28, 2016 – CV: 10-0
20. Howland & Drawe
Intro. 243
Res. 180
28-0
16-0202 Authorizing Acquisition of Interest in Real Property for Installation and Maintenance of Traffic Signal Equipment at Entrance to 1127 Dewey Avenue in the City of Rochester
Transportation Committee; June 28, 2016 – CV: 6-0
Ways and Means Committee; June 28, 2016 – CV: 10-0
21. Zale, Taylor & Drawe
Intro. 244
Res. 181
28-0
16-0203 Authorizing Intermunicipal Agreements with Genesee and Orleans Counties for Elevated Blood Lead Level Inspection Services
Intergovernmental Relations Committee; June 28, 2016 – CV: 5-0
Human Services Committee; June 28, 2016 – CV: 9-0
Ways and Means Committee; June 28, 2016 – CV: 10-0
22. Taylor & Drawe
Intro. 245
Res. 182
28-0
16-0204 Amending Resolution 63 of 2016 to Amend and Increase Contract with Lifespan of Greater Rochester, Inc. to Administer the New York State Elder Abuse Prevention and Interventions Program
Human Services Committee; June 28, 2016 – CV: 9-0
Ways and Means Committee; June 28, 2016 – CV: 10-0
23. Drawe & Hebert
Intro. 246
Res. 183
28-0
16-0205 Directing the Refund of Certain Monroe County Taxes Levied and Collected Against Property in Towns of Greece and Gates
Ways and Means Committee; June 28, 2016 – CV: 10-0
24. Drawe & Hebert
Intro. 247
Res. 184
28-0
16-0206 Authorizing Contract with Phoenix Business, Inc. for SAP Production Support Services
Ways and Means Committee; June 28, 2016 – CV: 10-0
25. Micciche & Drawe
Intro. 248
Res. 185
28-0
16-0207 Amending Resolution 171 of 2011 to Amend and Increase Contract with Western New York Medical Practice, P.C. for Sheriff's Employees' Medical Services
Public Safety Committee; June 27, 2016 – CV: 9-0
Ways and Means Committee; June 28, 2016 – CV: 10-0

26. Zale & Drawe
Intro. 249
Res. 186
28-0
- 16-0208 Authorizing Intermunicipal Agreement with City of Rochester for Joint Fiber Network Assessment
Intergovernmental Relations Committee; June 28, 2016 – CV: 5-0
Ways and Means Committee; June 28, 2016 – CV: 10-0
27. Drawe & Hebert
Intro. 250
Res. 187
28-0
- 16-0209 Authorizing Contract with Magellan Advisors LLC for Network Optimization, Management and Efficiency (Joint Fiber Network Assessment)
Ways and Means Committee; June 28, 2016 – CV: 10-0

Matters of Urgency

29. Terp & Drawe
Intro. 251
- 16-0237 Approving Monroe Community College’s 2016-2017 Operating Budget
(For Introductory Purposes)
30. Terp & Drawe
Intro. 252
M. 57
28-0
- 16-0237 Providing that Resolution (Intro. No. 251 of 2016), Entitled “Approving Monroe Community College’s 2016-2017 Operating Budget,” Be Tabled
31. Terp & Drawe
Intro. 253
Res. 188
28-0
- 16-0237 Fixing Public Hearing on Resolution (Intro. No. 251 of 2016), Entitled “Approving Monroe Community College’s 2016-2017 Operating Budget”
(Public Hearing is scheduled for Tuesday, August 9, 2016 at 6:15 p.m.)
32. Drawe & Hebert
Intro. 254
Res. 189
28-0
- 16-0238 Amending Resolution 434 of 2015, Standard Work Day and Reporting Resolution for County Elected and Appointed Officials for Retirement Credit Purposes
33. Marianetti & Ancello
Intro. 255
- 16-0239 Confirming Appointment to County of Monroe Industrial Development Agency

President Daniele ruled that Legislator Morelle’s line of questioning was Out of Order. Legislator Morelle Appealed the Ruling of the President and Legislator Wilcox Seconded the motion. A vote was taken and the Ruling of the President was Sustained by the following vote:

Ayes - Legislators Marianetti, Allkofer, Ancello, Boyce, Brew, Brown, Conley, Delehanty, DiFlorio, Drawe, Hebert, Howland, Micciche, Rockow, Taylor, Terp, Zale and President Daniele – 18

Noes - Legislators Kaleh, Bauroth, Felder, Flagler-Mitchell, Harris, Lightfoot, Morelle, Jr., Muoio, Sheppard and Wilcox – 10

Intro. 255
Res. 190
27-1

Main Motion
(Legislator Morelle, Jr. Voted in the Negative.)

34. Delehanty & Conley
Intro. 256
Res. 191
28-0
- 16-0240 Confirming Appointment to Monroe Community College Board of Trustees

UNFINISHED BUSINESS

None

Upon Motion by Legislator Marianetti, the Legislature Adjourned at 7:32 P.M. until **Tuesday, August 9, 2016 at 6:00 P.M.**

JAMIE L. SLOCUM
Clerk of the Legislature