

**NINTH DAY**

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**TUESDAY, AUGUST 10, 2010**

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Legislature met pursuant to adjournment.

President Jeffrey R. Adair in the Chair.

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**ROLL CALL**

Present — Legislators Adair, Andrews, Antelli, Barker, Beebe, Bronson, Cassetti, Colby, Daniele, Drawe, Eckel, Esposito, Gamble, Gumina, Haney, Hanna, Howland, Kaleh, Lee, Lightfoot, Maneiro, McCann, O'Brien, Quatro, Rockow, Tucciarello, Valerio, Yolevich – 28

Absent — Heider – 1

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Meeting formally opened. At the invitation of Legislator Saul A. Maneiro, Father Larry Tracy of the St. Michael's Church of Rochester, delivered the invocation. The Pledge of Allegiance to the Flag was led by Legislator Glenn J. Gamble.

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**IN MEMORIAM**

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38. Quatro & Bronson Intro. 232 Res. 188 28-0	10-0261	Expressing Regret Of The Monroe County Legislature On The Recent Passing Of Edward T. Marianetti, Former Executive Director of Monroe County Water Authority Matter of Urgency
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**APPROVAL OF MINUTES**

Without objection, the journal of the session of Day 8 of 2010, July 13, 2010 was approved as submitted.

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**PETITIONS AND COMMUNICATIONS**

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**PROCLAMATIONS**

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

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**Proclaimed Jointly with County Executive Maggie Brooks and Legislators E. Daniel Quatro, Harry B. Bronson, Calvin Lee, Jr., Carrie M. Andrews, Cynthia Kaleh, Mary A. Valerio and Debbie Drawe “Susan B. Anthony House” for their dedication to the legacy of Susan B. Anthony on the 90<sup>th</sup> Anniversary of the passage of the 19<sup>th</sup> Amendment. Read and Filed.**

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**Recognized Jointly with Legislator Robert J. Colby “Star of the West Flour Mill in Churchville, NY” In recognition of their 200<sup>th</sup> Anniversary. Read and Filed.**

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**Recognized Jointly with Legislators Calvin Lee Jr. and Willie Joe Lightfoot “Mamady Kourouma & Shymel Hardy” for their hard work and for representing the region.**

Read and Filed.

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**RECESS**

President Adair recessed the meeting to allow for one Public Hearing entitled ““Electing Retirement Incentive Program As Authorized By Part A Of Chapter 105, Laws Of 2010, And Authorizing County To Offer Local Incentive, For Eligible Employees Of County Of Monroe.” No speakers addressed the Legislature and the hearing concluded at 6:25 P.M.

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**RECONVENING LEGISLATURE**

President Adair reconvened the recessed meeting of August 10, 2010 and proceeded under the Usual Order of Business.

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**FORMAL COMMITTEE REPORTS**

*NONE*

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**PUBLIC FORUM**

An Open Forum was conducted to allow speakers to address the Legislature. Five speakers addressed the Legislature on various subjects and the Open Forum concluded at 6:35 P.M.

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**RECESS**

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

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**RECONVENING LEGISLATURE**

President Adair reconvened the recessed meeting of August 10, 2010 and proceeded under the Usual Order of Business.

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**LOCAL LAWS**

1. Daniele & Yolevich Intro. 233 M. 37 28-0 10-0241.LL Providing That Local Law (Intro. No. 229 Of 2010), Entitled “Electing Retirement Incentive Program As Authorized By Part A Of Chapter 105, Laws Of 2010, And Authorizing County To Offer Local Incentive, For Eligible Employees Of County Of Monroe,” Be Lifted From The Table
2. Daniele & Yolevich Intro. 234 M. 38 27-1 10-0241.LL Providing That Local Law (Intro. No. 229 Of 2010) Entitled “Electing Retirement Incentive Program As Authorized By Part A Of Chapter 105, Laws Of 2010, And Authorizing County To Offer Local Incentive, For Eligible Employees Of County Of Monroe,” Be Adopted  
*(Legislator Lightfoot voted in the negative)*

Intro. 229  
LL No. TBA  
27-1

Main Motion  
*(Legislator Lightfoot voted in the negative)*

3. Antelli,  
Hanna &  
Daniele  
Intro. 235  
27-1  
10-0231.LL Local Law Authorizing Lease And Easements For Tower/Antenna Site At 153 Widger Road, Town Of Ogden For Public Safety Communications; Authorizing Assignment Or Subleasing Of Lease and Easements  
Intergovernmental Relations Committee; July 27, 2010 – CV: 5-0  
Public Safety Committee; July 26, 2010 – CV: 7-0  
Ways and Means Committee; July 28, 2010 – CV: 11-0  
*(For Introductory Purposes Only)*
4. Antelli,  
Hanna &  
Daniele  
Intro. 236  
M. 39  
28-0  
10-0231.LL Providing That Local Law (Intro No. 235 Of 2010), Entitled “Local Law Authorizing Lease And Easements For Tower/Antenna Site At 153 Widger Road, Town Of Ogden For Public Safety Communications; Authorizing Assignment Or Subleasing Of Lease and Easements” Be Tabled
5. Antelli,  
Hanna &  
Daniele  
Intro. 237  
Res. 189  
28-0  
10-0231.LL Fixing Public Hearing On Local Law (Intro. No. 235 Of 2010), Entitled “Local Law Authorizing Lease And Easements For Tower/Antenna Site At 153 Widger Road, Town Of Ogden For Public Safety Communications; Authorizing Assignment Or Subleasing Of Lease and Easements”  
*(Public Hearing is Scheduled for Tuesday, September 14, 2010 at 6:15 P.M.)*
6. Hanna &  
Daniele  
Intro. 238  
10-0232.LL Enacting Local Law Authorizing Amendment To Lease By Negotiation With Gallina Development Corp. To Use And Occupy Space At 2330 Union Street, Town Of Ogden, New York  
Public Safety Committee; July 26, 2010 – CV: 7-0  
Ways and Means Committee; July 28, 2010 – CV: 8-3  
*(For Introductory Purposes Only)*
7. Hanna &  
Daniele  
Intro. 239  
M. 40  
28-0  
10-0232.LL Providing That Local Law (Intro No. 238 Of 2010), Entitled “Enacting Local Law Authorizing Amendment To Lease By Negotiation With Gallina Development Corp. To Use And Occupy Space At 2330 Union Street, Town Of Ogden, New York” Be Tabled
8. Hanna &  
Daniele  
Intro. 240  
Res. 190  
28-0  
10-0232.LL Fixing Public Hearing On Local Law (Intro. No. 238 Of 2010), Entitled “Enacting Local Law Authorizing Amendment To Lease By Negotiation With Gallina Development Corp. To Use And Occupy Space At 2330 Union Street, Town Of Ogden, New York”  
*(Public Hearing is Scheduled for Tuesday, September 14, 2010 at 6:16 P.M.)*
9. Cassetti &  
Daniele  
Intro. 241  
10-0233.LL Enacting Local Law Authorizing Lease By Negotiation To New Cingular Wireless PCS, LLC At Northwest Quadrant Wastewater Treatment Facility, 557 Manitou Beach Road, Town Of Greece; Authorizing Granting Of Easements For Access And Utilities From Payne Beach Road To Lease Area  
Environment and Public Works Committee; July 28, 2010 – CV: 7-0  
Ways and Means Committee; July 28, 2010 – CV: 11-0  
*(For Introductory Purposes Only)*

10. Cassetti & Daniele  
Intro. 242  
M. 41  
28-0
- 10-0233.LL Providing That Local Law (Intro No. 241 Of 2010), Entitled “Enacting Local Law Authorizing Lease By Negotiation To New Cingular Wireless PCS, LLC At Northwest Quadrant Wastewater Treatment Facility, 557 Manitou Beach Road, Town Of Greece; Authorizing Granting Of Easements For Access And Utilities From Payne Beach Road To Lease Area” Be Tabled
11. Cassetti & Daniele  
Intro. 243  
Res. 191  
28-0
- 10-0233.LL Fixing Public Hearing On Local Law (Intro. No. 241 Of 2010), Entitled “Enacting Local Law Authorizing A Lease By Negotiation To New Cingular Wireless PCS, LLC At Northwest Quadrant Wastewater Treatment Facility, 557 Manitou Beach Road, Town Of Greece; Authorizing Granting Of Easements For Access And Utilities From Payne Beach Road To Lease Area”  
*(Public Hearing is Scheduled for Tuesday, September 14, 2010 at 6:17 P.M.)*

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### MOTIONS, RESOLUTIONS AND NOTICES

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12. Valerio & Daniele  
Intro. 244  
M. 42  
28-0
- 10-0240 Providing That Resolution (Intro No. 226 Of 2010), Entitled “Approving Monroe Community College’s 2010-2011 Operating Budget,” Be Lifted From The Table
13. Valerio & Daniele  
Intro. 245  
M. 43  
28-0
- 10-0240 Providing That Resolution (Intro No. 226 Of 2010), Entitled “Approving Monroe Community College’s 2010-2011 Operating Budget” Be Adopted  
Recreation and Education Committee; July 28, 2010 – CV: 5-0  
Ways and Means Committee; July 28, 2010 – CV: 11-0
- Intro. 226  
Res. 192  
28-0
- Main Motion
14. Hanna & Daniele  
Intro. 246  
Res. 193  
28-0
- 10-0213 Accepting Grant From New York State Department Of State’s Office Of Fire Prevention And Control For Consumable Supplies And Related Material Necessary For Analysis And Testing Of Fire-Generated Evidence  
Public Safety Committee; July 26, 2010 – CV: 7-0  
Ways and Means Committee; July 28, 2010 – CV: 11-0
15. Hanna & Daniele  
Intro. 247  
Res. 194  
28-0
- 10-0214 Authorizing Transfer Of Department Of Public Safety Special Traffic Operations Program-Driving While Intoxicated Reserve Funds To The Office Of Probation – Community Corrections Operating Budget  
Public Safety Committee; July 26, 2010 – CV: 7-0  
Ways and Means Committee; July 28, 2010 – CV: 11-0
16. Rockow & Daniele  
Intro. 248  
Res. 195  
28-0
- 10-0215 Authorizing Transfer Of Department Of Public Safety Special Traffic Operations Program-Driving While Intoxicated (STOP-DWI) Reserve Funds To STOP-DWI Operating Budget; Amending Resolution 18 Of 2010 To Amend Intermunicipal Agreements With Village Of Brockport And City Of Rochester  
Public Safety Committee; July 26, 2010 – CV: 7-0  
Ways and Means Committee; July 28, 2010 – CV: 11-0

17. Hanna & Daniele  
Intro. 249  
Res. 196  
28-0  
10-0216      Accepting Grant From New York State Division Of Criminal Justice Services For Felony Warrant Initiative  
Public Safety Committee; July 26, 2010 – CV: 7-0  
Ways and Means Committee; July 28, 2010 – CV: 11-0
18. Hanna & Daniele  
Intro. 250  
Res. 197  
28-0  
10-0217      Authorizing Contract With Global Tel\*Link Corporation To Provide Collect Telephone Services To Inmates At Monroe County Jail And Monroe Correctional Facility  
Public Safety Committee; July 26, 2010 – CV: 7-0  
Ways and Means Committee; July 28, 2010 – CV: 11-0
19. Hanna & Daniele  
Intro. 251  
Res. 198  
28-0  
10-0218      Authorizing Contract With Arthritis Foundation For Traffic And Crowd Control Provided By Monroe County Sheriff's Office For 2010 MVP Health Care Rochester Marathon  
Public Safety Committee; July 26, 2010 – CV: 7-0  
Ways and Means Committee; July 28, 2010 – CV: 11-0
20. Valerio & Daniele  
Intro. 252  
Res. 199  
28-0  
10-0219      Amending 2010-2015 Capital Improvement Program To Add Capital Project Entitled "Monroe Community College Dental Lab Renovation Project"; Accepting Grant From Monroe Community College Foundation, Inc.  
Recreation and Education Committee; July 28, 2010 – CV: 5-0  
Ways and Means Committee; July 28, 2010 – CV: 11-0
21. Valerio, Daniele & Haney  
Intro. 253  
Res. 200  
28-0  
10-0219.br    Resolution Authorizing The Issuance Of \$300,000 Bonds Of The County Of Monroe, New York, To Finance Part Of The Cost Of The Monroe Community College Dental Lab Renovation Project At Monroe Community College, In And For Said County, At An Estimated Maximum Cost Of \$500,000  
Recreation and Education Committee; July 28, 2010 – CV: 5-0  
Ways and Means Committee; July 28, 2010 – CV: 11-0
22. Yolevich, Antelli, Hanna & Daniele  
Intro. 254  
Res. 201  
28-0  
10-0220      Authorizing Intermunicipal Agreement With Brockport Central School District For Purchase Of Fuel For Vehicles Of Monroe County Sheriff's Office  
Intergovernmental Relations Committee; July 27, 2010 – CV: 5-0  
Public Safety Committee; July 26, 2010 – CV: 7-0  
Ways and Means Committee; July 28, 2010 – CV: 11-0
23. Antelli, Colby & Daniele  
Intro. 255  
Res. 202  
M. 28-0  
10-0221      Authorizing Intermunicipal Agreement With Town Of Brighton To Perform Traffic Signal Operation And Maintenance Services For Traffic Signal #615 Located At Intersection Of North Landing Road And Forest Hills Road In Town Of Brighton  
Intergovernmental Relations Committee; July 27, 2010 – CV: 5-0  
Transportation Committee; July 28, 2010 – CV: 9-0  
Ways and Means Committee; July 28, 2010 – CV: 11-0
24. Drawe & Daniele  
Intro. 256  
Res. 203  
28-0  
10-0222      Accepting Gift From Sands Family Foundation And Constellation Brands, Inc. For Monroe County Pediatrics And Visitation Center  
Human Services Committee; July 27, 2010 – CV: 6-0  
Ways and Means Committee; July 28, 2010 – CV: 11-0

25. Antelli, Drawe & Daniele  
Intro. 257  
Res. 204  
28-0
- 10-0223 Authorizing Intermunicipal Agreement With Orleans County For Elevated Blood Lead Level Investigation Services  
Intergovernmental Relations Committee; July 27, 2010 – CV: 5-0  
Human Services Committee; July 27, 2010 – CV: 6-0  
Ways and Means Committee; July 28, 2010 – CV: 11-0
26. Cassetti & Daniele  
Intro. 258  
Res. 205  
28-0
- 10-0224 Accepting Grant From United States Department Of Energy For Energy Efficiency And Conservation Block Grant Program  
Environment and Public Works Committee; July 28, 2010 – CV: 7-0  
Ways and Means Committee; July 28, 2010 – CV: 11-0
27. Cassetti & Daniele  
Intro. 259  
Res. 206  
28-0
- 10-0225 Accepting Grant From New York State Energy Research And Development Authority Clean Cities Program For Monroe County Liquid Propane Gas Fueling Station/Vehicle Conversion Project  
Environment and Public Works Committee; July 28, 2010 – CV: 7-0  
Ways and Means Committee; July 28, 2010 – CV: 11-0
28. Colby & Daniele  
Intro. 260  
Res. 207  
28-0
- 10-0226 Accepting Grant From Federal Highway Administration; Authorizing Contract For Engineering Services With Stantec Consulting Services, Inc. Related To Monroe County Sign Inventory Project  
Transportation Committee; July 28, 2010 – CV: 9-0  
Ways and Means Committee; July 28, 2010 – CV: 11-0
29. Colby & Daniele  
Intro. 261  
Res. 208  
28-0
- 10-0227 Accepting Additional Funding From New York State Department Of Transportation For State Supported Consolidated Local Street And Highway Improvement Program  
Transportation Committee; July 28, 2010 – CV: 9-0  
Ways and Means Committee; July 28, 2010 – CV: 11-0
30. Yolevich & Daniele  
Intro. 262  
Res. 209  
28-0
- 10-0228 Authorizing Acquisition Of Interests In Real Property For Peck Road Bridge Over Salmon Creek Replacement Project In Town Of Parma  
Transportation Committee; July 28, 2010 – CV: 9-0  
Ways and Means Committee; July 28, 2010 – CV: 11-0
31. Colby & Daniele  
Intro. 263  
Res. 210  
28-0
- 10-0229 Authorizing Acquisition Of Interests In Real Property For Pinnacle Road Culvert Replacement Project In Town Of Rush  
Transportation Committee; July 28, 2010 – CV: 9-0  
Ways and Means Committee; July 28, 2010 – CV: 11-0
32. Antelli & Hanna  
Intro. 264  
Res. 211  
28-0
- 10-0230 Authorizing Agreement With Ogden Telephone Company Whereby Ogden Telephone Conveys And Assigns All Of Its Interest In The Existing Tower And Related Building At 153 Widger Road And Any Easements For Access And Utilities To County  
Intergovernmental Relations Committee; July 27, 2010 – CV: 5-0  
Public Safety Committee; July 26, 2010 – CV: 7-0
33. Daniele & Yolevich  
Intro. 265  
Res. 212  
28-0
- 10-0235 Directing Correction, Cancellation And Levy Of Certain Monroe County Taxes In Town Of Penfield  
Ways and Means Committee; July 28, 2010 – CV: 11-0

34. Colby & Daniele  
Intro. 266  
Res. 213  
28-0
- 10-0236 Authorizing Contract With Bergmann Associates, Inc. For Engineering Services For Phase III Of Intelligent Transportation System Camera And Dynamic Message Sign Deployment Project  
Transportation Committee; July 28, 2010 – CV: 9-0  
Ways and Means Committee; July 28, 2010 – CV: 11-0
35. Colby & Daniele  
Intro. 267  
Res. 214  
28-0
- 10-0237 Authorizing Contract With Villager Construction, Inc. For Construction Services For Mill Road Phase II Improvement Project In Town Of Greece  
Transportation Committee; July 28, 2010 – CV: 9-0  
Ways and Means Committee; July 28, 2010 – CV: 11-0
36. Colby & Daniele  
Intro. 268  
Res. 215  
28-0
- 10-0237.br Resolution Authorizing The Issuance Of \$6,720,000 Bonds Of The County Of Monroe, New York, To Finance Part Of The \$7,000,000 Estimated Maximum Cost Of The Reconstruction And Improvement Of Portions Of Mill Road From Larkin Creek To Manitou Road, In And For Said County, And Superseding The Bond Resolution Adopted On December 11, 2007 (Resolution No. 515 Of 2007)
37. Colby & Daniele  
Intro. 269  
Res. 216  
28-0
- 10-0242 Authorizing Contract With Silverline Construction, Inc. For Construction Services For Honeoye Falls #6 Road Bridge Over Spring Brook Project In Town Of Mendon  
Transportation Committee; July 28, 2010 – CV: 9-0  
Ways and Means Committee; July 28, 2010 – CV: 11-0

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**UNFINISHED BUSINESS**

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Upon Motion by Legislator E. Daniel Quatro, the Legislature adjourned at 7:14 p.m. until Tuesday, September 14, 2010 at 6:00 p.m.

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**CHERYL M. ROZZI**  
Clerk of the Legislature