

THIRTEENTH DAY

TUESDAY, DECEMBER 14, 2010

Legislature met pursuant to adjournment.

President Jeffrey R. Adair in the Chair.

ROLL CALL

Present — Legislators Adair, Andrews, Antelli, Barker, Beebe, Bronson, Cassetti, Colby, Daniele, Drawe, Eckel, Esposito, Gamble, Gumina, Haney, Hanna, Heider, Howland, Kaleh, Lee, Lightfoot, Maneiro, McCann, O'Brien, Quatro, Rockow, Tucciarello, Valerio, Yolevich – 29

Meeting formally opened. President Adair requested a moment of silent prayer. The Pledge of Allegiance to the Flag was led by Legislator Harry B. Bronson.

IN MEMORIAM

| | | |
|---|---------|--|
| 40. Quatro & O'Brien Intro. 389 Res. 291 29-0 | 10-0400 | Expressing Regret Of The Monroe County Legislature On The Recent Passing Of United States Marine Corps Staff Sergeant Javier Ortiz-Rivera Matter of Urgency |
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APPROVAL OF MINUTES

Without objection, the journal of the session of Day 12 of 2010, November 9, 2010 was approved as submitted.

PETITIONS AND COMMUNICATIONS

PROCLAMATIONS

By the President of the Legislature — Jeffrey R. Adair

Recognized Jointly with County Executive Maggie Brooks and Legislator E. Daniel Quatro “Sheriff Patrick O’Flynn” and the devoted men and women of the Monroe County Sheriff’s Office for their worthy achievement.
Read and Filed.

Recognized Jointly with Legislators Rick Antelli, Jeffery L. McCann and Mark J. Cassetti “North Greece Fire Police Squad” for their dedicated service to the safety and security of our community.
Read and Filed.

Recognized Jointly with Legislators Mary A. Valerio and Robert Colby “Dr. William Calnon” on being elected President of the American Dental Association.

Read and Filed.

Recognized Jointly with Legislator Ted O’Brien “Chris Culver” for his incredible talent and for bringing pride to the Rochester community.

Read and Filed.

Recognized Jointly with Legislator Willie Joe Lightfoot “Miss Sweet Potato Pie” for her dedication to the health and happiness of youth in Monroe County and Upstate New York.

Read and Filed.

Recognized Jointly with Legislator Saul A. Maniero “Garth Fagan Dance” for 40 years of art, culture, success and brilliant performances.

Read and Filed.

Recognized Jointly with Legislators Glenn Gamble, Carrie M. Andrews and Saul A. Maniero “Rochester Public Market” for winning the title of “America’s Favorite Farmers Market”.

Read and Filed.

Recognized Jointly with Legislators Harry B. Bronson, Ted O’Brien, and Carrie M. Andrews “Civil Service Employees Association” for their great service to the State of New York on the occasion of their 100th anniversary.

Read and Filed.

RECESS

President Adair recessed the meeting to allow for two Public Hearings Entitled...

“Enacting a Local Law Authorizing the County Clerk to Collect Certain Fees for Recording, Entering, Indexing And Endorsing A Certificate On Any Instrument,” No speakers addressed the Legislature and the hearing concluded at 6:40 P.M.

“Proposed Scale of Charges for the Gates-Chili-Ogden Sewer District, Northwest Quadrant Pure Waters District, Irondequoit Bay South Central Pure Waters District and Rochester Pure Waters District, County Sewer Districts for the County of Monroe, New York,” No speakers addressed the Legislature and the hearing concluded at 6:43 P.M.

RECONVENING LEGISLATURE

President Adair reconvened the recessed meeting of December 14, 2010 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. Seven speakers addressed the Legislature and the Open Forum concluded at 7:00 P.M.

RECESS

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

- PWAB 8. Cassetti & Daniele
Intro. R9
MR.4
- 10-0356 Providing that Resolution (Intro. No. R5 of 2010), Entitled “Establishing Scale of Charges for RWPD District for County Of Monroe, New York,” Be Adopted
- Intro. R10
MR. 3
13-16 F
- Haney/Kaleh
Motion to Amend Intro. No. R5 as follows:
- To reduce the capital charge rate for the Rochester Pure Waters District from \$1.34 per \$1,000 assessed value to \$1.20 per \$1,000 assessed value.
- (Legislators O'Brien, Andrews, Beebe, Bronson, Eckel, Esposito, Gamble, Haney, Heider, Kaleh, Lee, Lightfoot, and Maneiro voted in the Positive)*
- Intro. R9
Res. 10R-006
28-1
- Main Motion
(Legislator Eckel voted in the negative)

LOCAL LAWS

1. Daniele & Yolevich
Intro. 390
M. 87
29-0
- 10-0353.LL Providing that Local Law(Intro. No. 355 of 2010), Entitled “Enacting A Local Law Authorizing The County Clerk To Collect Fees For Recording, Entering, Indexing and Endorsing A Certificate On Any Instrument” Be Lifted From The Table
2. Daniele & Yolevich
Intro. 391
M. 88
16-13
- 10-0353.LL Providing that Local Law(Intro. No. 355 of 2010), Entitled “Enacting A Local Law Authorizing The County Clerk To Collect Fees For Recording, Entering, Indexing and Endorsing A Certificate On Any Instrument” Be Adopted

CONSIDERATION OF MOTIONS, RESOLUTIONS AND NOTICES

3. Howland & Hanna
Intro. 392
Res. 292
29-0
- 10-0319 Appointment to County of Monroe Industrial Development Agency

4. Hanna & Daniele
Intro. 393
Res. 293
29-0
10-0323 Authorizing Contract with Oasis House Inc. for Muslim Religious Services for Inmates at Monroe County Jail and Monroe County Correctional Facility
Public Safety Committee; November 29, 2010 – CV: 9-0
Ways and Means Committee; December 9, 2010 – CV: 11-0
5. Hanna & Daniele
Intro. 394
Res. 294
29-0
10-0324 Accepting Grant from New York State Governor’s Traffic Safety Committee for Selective Traffic Enforcement Program
Public Safety Committee; November 29, 2010, CV – 9-0
Ways and Means Committee; December 9, 2010, CV - 11-0
6. Hanna & Daniele
Intro. 395
Res. 295
29-0
10-0325 Accepting Grant from New York State Division of Criminal Justice Services for Public Defender’s Mental Health and Drug Treatment Court Program
Public Safety Committee; November 29, 2010, CV – 9-0
Ways and Means Committee; December 9, 2010, CV - 11-0
7. Hanna & Daniele
Intro. 396
Res. 296
29-0
10-0326 Amending Resolution 298 of 2009 to Accept Additional Funding from New York State Division of Criminal Justice Services for 2009-2010 Firearm Lab Capacity Enhancement Initiative and Extend Time Period
Public Safety Committee; November 29, 2010, CV – 9-0
Ways and Means Committee; December 9, 2010, CV - 11-0
8. Hanna & Daniele
Intro. 397
Res. 297
29-0
10-0327 Accepting Grant from United States Department of Justice, Office of Justice Programs, for 2010 Forensic DNA Backlog Reduction Program
Public Safety Committee; November 29, 2010, CV – 9-0
Ways and Means Committee; December 9, 2010, CV - 11-0
9. Hanna & Daniele
Intro. 398
Res. 298
29-0
10-0328 Accepting Grant from New York State Division of Criminal Justice Services for 2010 Paul Coverdell Forensic Sciences Improvement Program (Public Safety Lab)
Public Safety Committee; November 29, 2010, CV – 9-0
Ways and Means Committee; December 9, 2010, CV - 11-0
10. Hanna & Daniele
Intro. 399
Res. 299
29-0
10-0329 Accepting Grant from New York State Department of Homeland Security and Emergency Services for FY10 Interoperable Emergency Communications Grant Program
Public Safety Committee; November 29, 2010, CV – 9-0
Ways and Means Committee; December 9, 2010, CV - 11-0
11. Hanna & Daniele
Intro. 400
Res. 300
29-0
10-0330 Authorizing Agreement with New York State Defenders Association for Case Management System in Office of the Conflict Defender and Assigned Counsel Program
Public Safety Committee; November 29, 2010, CV – 9-0
Ways and Means Committee; December 9, 2010, CV - 11-0
12. Hanna & Daniele
Intro. 401
10-0331 Authorizing Contract with Pre-Trial Services Corporation of the Monroe County Bar Association for Alternatives to Incarceration Programs for 2011
Public Safety Committee; November 29, 2010, CV – 9-0
Ways and Means Committee; December 9, 2010, CV - 11-0

Intro. 402
M. 89

O'Brien/Andrews
Motion to Amend Intro. No. 401 of 2010 to read as follows:

Section 1. The County Executive, or her designee, is hereby authorized to execute a contract, and any amendments thereto, with Pre-Trial Services Corporation of the Monroe County Bar Association, for the Pre-Trial Release/Pre-Trial Diversion Programs, Felony DWI Diversion Program and the Jail Utilization Systems Team programs, in the amount of ~~\$1,421,433~~ \$1,861,433, for the period of January 1, 2011 through December 31, 2011.

Legislator Quatro raised a Point of Order regarding the Amendment Intro. No. 402. President Adair ruled that Amendment Intro. No. 402 was Out of Order. Legislator Bronson made a Motion to Appeal the Ruling of the Chair, and it was Sustained by the following vote:

Ayes - Legislators Quatro, Antelli, Barker, Cassetti, Colby, Daniele, Drawe, Gumina, Hanna, Howland, McCann, Rockow, Tucciarello, Valerio, Yolevich, and President Adair – 16

Noes - Legislators O'Brien, Andrews, Beebe, Bronson, Eckel, Esposito, Gamble, Haney, Heider, Kaleh, Lee, Lightfoot, and Maneiro – 13

Intro. 403
M. 90
13-16 F

Haney/Bronson
Motion to Table Intro. No 401

(Legislators O'Brien, Andrews, Beebe, Bronson, Eckel, Esposito, Gamble, Haney, Heider, Kaleh, Lee, Lightfoot, and Maneiro voted in the Negative)

Intro. 401
Res. 301
29-0

Main Motion

- | | |
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| 13. Hanna, 10-0332 Cassetti & Daniele Intro. 404 Res. 302 29-0 | Authorizing Contract with Erdman-Anthony for Professional Engineering Services for Monroe County Jail Elevator and Security Upgrades Project Public Safety Committee; November 29, 2010, CV – 9-0 Environment and Public Works Committee; December 1, 2010, CV – 7-0 Ways and Means Committee; December 9, 2010, CV - 11-0 |
| 14. Cassetti & Daniele Intro. 405 Res. 303 29-0 | 10-0333 Amending Resolution 272 of 2005 to Adjust Labor Rate; Authorizing Intermunicipal Agreements with Monroe Community College, Municipal Corporations and Public Authorities Located Within Monroe County; Authorizing Contract with State of New York for Fleet Services Environment and Public Works Committee; December 1, 2010, CV – 7-0 Ways and Means Committee; December 9, 2010, CV - 11-0 |
| 15. Drawe & Daniele Intro. 406 Res. 304 29-0 | 10-0334 Authorizing Joint Funding Agreement with United States Department of The Interior for Water Resources Investigations Project Human Services Committee; November 30, 2010, CV – 6-0 Ways and Means Committee; December 9, 2010, CV - 11-0 |
| 16. Drawe & Daniele Intro. 407 Res. 305 29-0 | 10-0335 Accepting Year 2011-2015 Funding from New York State Office of Children and Family Services; Authorizing Intermunicipal Agreements with Municipalities for Youth Services For 2011- 2015 Human Services Committee; November 30, 2010, CV – 6-0 Ways and Means Committee; December 9, 2010, CV - 11-0 |
| 17. Drawe & Daniele Intro. 408 | 10-0336 Accepting Year 2011-2015 Funding from New York State Office of Children and Family Services; Authorizing Contracts with Private Agencies for Youth Services for 2011-2015 Human Services Committee; November 30, 2010, CV – 6-0 |

- Res. 306
29-0 Ways and Means Committee; December 9, 2010, CV - 11-0
18. Drawe & 10-0337 Accepting Grant from United States Department of Housing and Urban
Daniele Development, Supportive Housing Program, for Rochester/Monroe County Youth Bureau
Intro. 409 Project to Reunite Families
Res. 307 Human Services Committee; November 30, 2010, CV – 6-0
29-0 Ways and Means Committee; December 9, 2010, CV - 11-0
19. Drawe & 10-0338 Amending Resolution 247 of 2010 to Accept Additional Funding from New York State
Daniele Department of Health for Public Health Preparedness and Response to Bioterrorism
Intro. 410 Program; Authorizing Contracts with University of Rochester and Linda Kozelsky
Res. 308 Human Services Committee; November 30, 2010, CV – 6-0
29-0 Ways and Means Committee; December 9, 2010, CV 11-0
20. Drawe & 10-0339 Accepting Grant from the New York State Department of Health for HIV Partner
Daniele Services Program
Intro. 411 Human Services Committee; November 30, 2010, CV – 6-0
Res. 309 Ways and Means Committee; December 9, 2010, CV 11-0
29-0
21. Drawe & 10-0340 Accepting Grant from New York State Division of Criminal Justice Services for
Daniele Paul Coverdell National Forensic Sciences Improvement Program (Medical Examiner’s
Intro. 412 Toxicology Laboratory)
Res. 310 Human Services Committee; November 30, 2010, CV – 6-0
29-0 Ways and Means Committee; December 9, 2010, CV - 11-0
22. Drawe & 10-0341 Accepting Grant from New York State Department of Health for Healthy
Daniele Mom – Healthy Baby Program; Authorizing Contracts with Perinatal Network of Monroe
Intro. 413 County
Res. 311 Human Services Committee; November 30, 2010, CV – 6-0
29-0 Ways and Means Committee; December 9, 2010, CV - 11-0
23. Drawe & 10-0342 Authorizing Monroe County Department of Public Health Agency Contracts and
Daniele Professional Services Agreements
Intro. 414 Human Services Committee; November 30, 2010, CV – 6-0
Res. 312 Ways and Means Committee; December 9, 2010, CV - 11-0
29-0
24. Drawe & 10-0343 Authorizing Professional Services Contracts for Monroe County Office of Mental Health,
Daniele Socio-Legal Center
Intro. 415 Human Services Committee; November 30, 2010, CV – 6-0
Res. 313 Ways and Means Committee; December 9, 2010, CV - 11-0
29-0
25. Drawe & 10-0344 Authorizing a Contract with Coordinated Care Services, Inc. for Provision of Mental
Daniele Health, Developmental Disabilities, and Alcoholism and Substance Abuse Services for 2011
Intro. 416 Human Services Committee; November 30, 2010, CV – 6-0
Res. 314 Ways and Means Committee; December 9, 2010, CV - 11-0
29-0
26. Cassetti & 10-0345 Authorizing Contract with the City of Rochester for Transfer of Sanitary, Storm and
Daniele Combined Sewer Assets and for Operation and Maintenance of Rochester Pure Waters
Intro. 417 District
Res. 315 Environment and Public Works Committee; December 1, 2010, CV – 7-0
29-0 Ways and Means Committee; December 9, 2010, CV - 11-0
27. Daniele & 10-0347 Amending Resolution 99 of 2010 to Amend Contract with LSI Consulting, Inc. to Provide
Yolevich Additional Support and Services; and Authorizing Contract with Vortex Software
Intro. 418 Consulting, LLC for Implementation Support Services in Conjunction with the SAP
Res. 316 Upgrade
29-0 Ways and Means Committee; December 9, 2010, CV - 11-0

28. Daniele & Yolevich
Intro. 419
Res. 317
29-0
- 10-0347br. Amending Resolution 99 of 2010 to Amend Contract with LSI Consulting, Inc. to Provide Additional Support and Services; and Authorizing Contract with Vortex Software Consulting, LLC for Implementation Support Services in Conjunction with the SAP Upgrade
Ways and Means Committee; December 9, 2010, CV - 11-0
29. Daniele & Yolevich
Intro. 420
Res. 318
29-0
- 10-0348 Authorizing Sale of County Owned Tax Foreclosure Property in Town of Riga
Ways and Means Committee; December 9, 2010, CV - 11-0
30. Daniele & Yolevich
Intro. 421
Res. 319
29-0
- 10-0349 Mortgage Tax Distribution
Ways and Means Committee; December 9, 2010, CV - 11-0
31. Hanna & Daniele
Intro. 422
Res. 320
29-0
- 10-0350 Accepting Grant from New York State Division of Criminal Justice Services for Juvenile Accountability Block Grant, Arts and Technology Program; Authorizing Contract with Kuumba Consultants
Public Safety Committee, November 29, 2010, CV - 9-0
Ways and Means Committee; December 9, 2010, CV - 11-0
32. Cassetti & Daniele
Intro. 423
M. 91
29-0
- 10-0354 Providing that Resolution (Intro. No. 358 of 2010), Entitled "Confirming and Adopting Assessment Rolls of the Pure Waters Districts for 2011" Be Lifted From the Table
33. Cassetti & Daniele
Intro. 424
M. 92
29-0
- 10-0354 Providing that Resolution (Intro. No. 358 of 2010), Entitled "Confirming and Adopting Assessment Rolls of the Pure Waters Districts for 2011" Be Adopted
- Intro. 358
Res. 321
29-0
- Main Motion
- (Note: Agenda Items # 36 and 37 were pulled out of regular order by President Adair)
36. Daniele & Yolevich
Intro. 425
Res. 322
29-0
- 10-0358 Authorizing Contract with NTS DATA Services, LLC for Voter Registration and Election Management Software Systems and Services for the Monroe County Board of Election
Ways and Means Committee; December 9, 2010, CV - 11-0
37. Daniele & Yolevich
Intro. 426
Res. 323
29-0
- 10-0359 Adopting Determination and Finding, John Street Extension, Highway Improvement Project from John Street Cul-de-sac to Lehigh Station Road, P.N. 4754.15, in the Town of Henrietta
Ways and Means Committee; December 9, 2010, CV - 11-0

34. Daniele & Yolevich
Intro. 364
M. 62.A
29-0

10-0355 Providing that Resolution (Intro. No. 361 of 2010), Entitled “Adoption of Monroe County Annual Budget For the Year 2011 and Establishing 2011 Monroe County Classification, Compensation and Salary Schedule for Monroe County Employees,” Be Lifted from the Table

35. Daniele & Yolevich
Intro. 365
M. 81
Res. 289

10-0355 Providing that Resolution (Intro. No. 361 of 2010), Entitled “Adoption of Monroe County Annual Budget For the Year 2011 and Establishing 2011 Monroe County Classification, Compensation and Salary Schedule for Monroe County Employees,” Be Adopted

Intro. 366
M. 63

O’Brien/Haney(Amendment 1)
Motion to Amend Intro. No. 361 of 2010 to read as follows:

Section 1. Roll back the Management & Professional Salary Schedule, on page 810, to the levels of the 2010 schedule, resulting in appropriations on line item 501000 to decrease by \$740,000.

Section 2. Appropriations for the following expense commitment line items to decrease as follows:

504320 “Professional Services” to be reduced by 5% (\$813,764)

505100 “Office Supplies” to be reduced by 10% (\$95,459)

Section 3. Appropriations associated with the chargeback “Fleet Maintenance” 84-8675-968675 shall be decreased by 15% (\$490,506)

Section 4. Appropriations for the line item 504505 “Cell Phones” shall be eliminated as follows, resulting in a savings of \$80,278 through reduction of non-essential cell phones:

10-1001-504505 \$500
10-1002-504505 \$1038
10-1011- 504505 \$2,800
11-11-504505 \$4,200
12-1201-504505 \$1,500
12-1203-504505 \$700
12-1207-504505 \$1,000
14-1401-504505 \$900
14-1403-504505 \$1,800
14-1404-504505 \$2,400
14-1405-504505 \$800
16-16-504505 \$3,680
18-18-504505 \$10,535
19-19-504505 \$16,500
20-20-504505 \$2,650
21-2101-504505 \$3,000
21-2102-504505 \$2,045
51-5101-504505 \$4,000
51-5191-504505 \$1,200
51-5501-54505 \$1,600
51-5601-504505 \$1,415
58-5801-504505 \$4,060
80-8001-504505 \$1,255
88-8802-504505 \$12,000

Section 5. Appropriations for the line item 504270 “Local Transportation/Parking” in Building Operations to be reduced as follows:

84-8600-504270 reduced by \$737,718, by eliminating appropriations for the leasing of two surface parking lots with Broad & Plymouth, LLC and Main & Plymouth, LLC.

Section 6. Revenues in the following accounts to be decreased in the following amounts:

12-1209-400000 (Real Property Taxes) to be decreased by \$ 2,957,725 for the purpose of lowering the property tax rate to \$8.91 per \$1,000 full value.

Intro. 367
M. 64

Quatro/McCann
Motion to Table Amendment Intro. No. 366

Legislator O'Brien raised a Point of Order regarding the Intro. No. 367. President Adair ruled that Intro. No. 367 was Appropriate and in Order. Legislator O'Brien Appealed the Ruling of the Chair and Legislator Eckel Seconded and the Ruling of the President was Sustained by the following vote:

Ayes - Legislators Quatro, Antelli, Barker, Cassetti, Colby, Daniele, Drawe, Gumina, Hanna, Howland, McCann, Rockow, Tucciarello, Valerio, Yolevich, and President Adair – 16

Noes - Legislators O'Brien, Andrews, Beebe, Bronson, Eckel, Esposito, Gamble, Haney, Heider, Kaleh, Lee, Lightfoot, and Maneiro – 13

Legislator O'Brien raised a second Point of Order regarding the Intro. No. 367. President Adair ruled that Intro. No. 367 was Appropriate and in Order. Legislator O'Brien made a Motion to Appeal the Ruling of the Chair, and the Ruling of the President was Sustained by the following vote:

Ayes - Legislators Quatro, Antelli, Barker, Cassetti, Colby, Daniele, Drawe, Gumina, Hanna, Howland, McCann, Rockow, Tucciarello, Valerio, Yolevich, and President Adair – 16

Noes - Legislators O'Brien, Andrews, Beebe, Bronson, Esposito, Gamble, Haney, Heider, Kaleh, Lee, Lightfoot, and Maneiro – 12

Abstained – Eckel – 1 (Legislator Eckel was granted permission to abstain from voting by President Adair)

Intro. 367
M. 64
17-12

Quatro/McCann
Motion to Table Amendment Intro. No. 366
(Legislators O'Brien, Andrews, Beebe, Bronson, Esposito, Gamble, Haney, Heider, Kaleh, Lee, Lightfoot, and Maneiro voted in the Negative)

Intro. 368
M. 65
13-16 F

Andrews/Kaleh (Amendment 2)
Motion to Amend Intro. No. 361 of 2010 to read as follows:

Section 1. Roll back the Management & Professional Salary Schedule, on page 810, to the levels of the 2010 schedule, resulting in appropriations on line item 501000 to decrease by \$740,000.

Section 2. Appropriations for the following commitment line items to increase, for the purpose of restoring funding to the Nurse Family Partnership and Building Healthy Children programs:

58-5803-504800 to increase by \$452,405.

Section 3. Insert appropriations for the following commitment line item:

12-1209-FBAL by \$287,595.

(Legislators O'Brien, Andrews, Beebe, Bronson, Eckel, Esposito, Gamble, Haney, Heider, Kaleh, Lee, Lightfoot, and Maneiro voted in the Positive)

Intro. 369
M. 66
13-16 F

O'Brien/Eckel (Amendment 3)
Motion to Amend Intro. No. 361 of 2010 to read as follows:

Section 1. Roll back the Management & Professional Salary Schedule, on page 810, to the levels of the 2010 schedule, resulting in appropriations on line item 501000 to decrease by \$740,000. Appropriations for the line item 504270 "Local Transportation/Parking" in Building Operations to be reduced as follows:

84-8600-504270 reduced by \$737,718, by eliminating appropriations for the leasing of two surface parking lots with Broad & Plymouth, LLC and Main & Plymouth, LLC.

Section 2. Appropriations for the following commitment line items to increase, for the purpose of restoring funding to the Nurse Family Partnership and Building Healthy Children programs:

58-5803-504800 to increase by \$452,405.

Section 3. Insert appropriations for the following commitment line item:

12-1209-FBAL by \$287,595. \$285,313.

(Legislators O'Brien, Andrews, Beebe, Bronson, Eckel, Esposito, Gamble, Haney, Heider, Kaleb, Lee, Lightfoot, and Maneiro voted in the Positive)

Intro. 370
M. 67
13-16 F

Lightfoot/Lee (Amendment 4)
Motion to Amend Intro. No. 361 of 2010 to read as follows:

Section 1. Appropriations for the line item 504270 "Local Transportation/Parking" in Building Operations to be reduced as follows:

84-8600-504270 reduced by \$737,718, by eliminating appropriations for the leasing of two surface parking lots with Broad & Plymouth, LLC and Main & Plymouth, LLC.

Section 2. Increase appropriations to the following commitment line items, to restore funding for the Downtown Patrol services and Pre-Trial Services Corporation contracts:

24-2411-504800 to increase by \$300,000

24-2404-504800 to increase by \$437,718

(Legislators O'Brien, Andrews, Beebe, Bronson, Eckel, Esposito, Gamble, Haney, Heider, Kaleb, Lee, Lightfoot, and Maneiro voted in the Positive)

Intro. 371
M. 68
13-16 F

Maneiro/Andrews (Amendment 5)
Motion to Amend Intro. No. 361 of 2010 to read as follows:

Section 1. Appropriations for the commitment line item #505100 "Office Supplies" to be reduced by \$50,000 .

Section 2. Appropriations in the following account to increase, for the purpose of providing additional funding to support the new coalition in the STD/HIV Control Program that will be led by the Metro Council on Teen Potential (MCTP):

58-5802-504800 increased by \$50,000.

(Legislators O'Brien, Andrews, Beebe, Bronson, Eckel, Esposito, Gamble, Haney, Heider, Kaleh, Lee, Lightfoot, and Maneiro voted in the Positive)

Intro. 372
M. 69

Lightfoot/Eckel (Amendment 6)
Motion to Amend Intro. No. 361 of 2010 to read as follows:

Section 1. Include a new "Seasonal or Temporary Farmers Market Food Service Permit" fee in the Department of Public Health (58), Division of Environmental Health (5806), 2011 Fees and Charges, on page 254. The "Seasonal or Temporary Farmers Market Food Service Permit" will not exceed six months and will have an associated fee of \$150.

Legislator Quatro raised a Point of Order regarding the Intro. No. 372. President Adair ruled that Intro. No. 372 was Out of Order. Legislator O'Brien made a Motion to Appeal the Ruling of the Chair, which was Seconded by Legislator Lightfoot and the Ruling of the President was Sustained by the following vote:

Ayes - Legislators Quatro, Antelli, Barker, Cassetti, Colby, Daniele, Drawe, Gumina, Hanna, Howland, McCann, Rockow, Tucciarello, Valerio, Yolevich, and President Adair – 16

Noes - Legislators O'Brien, Andrews, Beebe, Bronson, Eckel, Esposito, Gamble, Haney, Heider, Kaleh, Lee, Lightfoot, and Maneiro – 13

Intro. 373
M. 70

Esposito/Maneiro (Amendment 7)
Motion to Amend Intro. No. 361 of 2010 to read as follows:

Section 1. Increase revenues to the following, allowing the County to bill COMIDA for an increased contribution:

14-1403-410210 to increase by \$220,742

Section 2. Increase appropriations to the following, to increase the contribution to Greater Rochester Enterprise within the Contractual Services appropriations of the Planning and Development Department:

14-1403-504320 to increase by \$100,000

Section 3. The increased contribution from COMIDA will also fully-fund the Economic Development Division budget, eliminating \$120,742 of Net County Support, thereby reducing the property tax levy. Revenues in the following accounts to be decreased in the following amounts:

12-1209-400000 (Real Property Taxes) to be decreased by \$120,742

Legislator Quatro raised a Point of Order regarding the Intro. No. 373. President Adair ruled that Intro. No. 373 was Out of Order. Legislator Esposito made a Motion to Appeal the Ruling of the Chair, which was Seconded by Legislator O'Brien and the Ruling of the President was Sustained by the following vote:

Ayes - Legislators Quatro, Antelli, Barker, Cassetti, Colby, Daniele, Drawe, Gumina, Hanna, Howland, McCann, Rockow, Tucciarello, Valerio, Yolevich, and President Adair – 16

Noes - Legislators O'Brien, Andrews, Beebe, Bronson, Eckel, Esposito, Gamble, Haney, Heider, Kaleh, Lee, Lightfoot, and Maneiro – 13

Intro. 374
M. 71
13-16 F

Gamble/Beebe (Amendment 8)
Motion to Amend Intro. No. 361 of 2010 to read as follows:

Section 1: Appropriations for the following to decrease:

88-8802-504505 (Cellular Phones) to decrease by \$5,000.

Section 2: Appropriations for the following to increase, to establish funding for the purpose of replacing basketball hoops at the Roger Robach Community Center at Ontario Beach Park:

88-8802-505120 (Recreational Supplies) to increase by \$5,000

(Legislators O'Brien, Andrews, Beebe, Bronson, Eckel, Esposito, Gamble, Haney, Heider, Kaleh, Lee, Lightfoot, and Maneiro voted in the Positive)

Intro. 375
M. 72

O'Brien/Haney (Amendment 9)
Motion to Amend Intro. No. 361 of 2010 to read as follows:

Be It Moved, that Intro. No. 35 of 2010 be amended as follows:

Section 1. No positions included on the M&P Schedule shall receive an increase of more than one salary group.

Legislator Quatro raised a Point of Order regarding the Intro. No. 375. President Adair ruled that Intro. No. 375 was Out of Order. Legislator O'Brien made a Motion to Appeal the Ruling of the Chair, which was Seconded by Legislator Lightfoot and the Ruling of the President was Sustained by the following vote:

Ayes - Legislators Quatro, Antelli, Barker, Cassetti, Colby, Daniele, Drawe, Gumina, Hanna, Howland, McCann, Rockow, Tucciarello, Valerio, Yolevich, and President Adair – 16

Noes - Legislators O'Brien, Andrews, Beebe, Bronson, Eckel, Esposito, Gamble, Haney, Heider, Kaleh, Lee, Lightfoot, and Maneiro – 13

Intro. 376
M. 73

Haney (Amendment 10)
Motion to Amend Intro. No. 361 of 2010 to read as follows:

Section 1. The salary group for the Director of Human Resources is changed to Group 26 from Group 27. (Page 791)

Section 2. The salary group for the Director of Public Safety is changed to Group 26 from Group 27. (Page 800)

Legislator Quatro raised a Point of Order regarding the Intro. No. 376. President Adair ruled that Intro. No. 376 was Out of Order. Legislator O'Brien made a Motion to Appeal the Ruling of the Chair, which was Seconded by Legislator Andrews and the Ruling of the President was Sustained by the following vote:

Ayes - Legislators Quatro, Antelli, Barker, Cassetti, Colby, Daniele, Drawe, Gumina, Hanna, Howland, McCann, Rockow, Tucciarello, Valerio, Yolevich, and President Adair – 16

Noes - Legislators O'Brien, Andrews, Beebe, Bronson, Eckel, Esposito, Gamble, Haney, Heider, Kaleh, Lee, Lightfoot, and Maneiro – 13

Intro. 377
M. 74
13-16 F

Haney/O'Brien (Amendment 11)
Motion to Amend Intro. No. 361 of 2010 to read as follows:

Section 1. To eliminate the pass through funding of Hotel Motel Occupancy Tax Dollars to the Greater Rochester Sports Authority (\$285,000) and the Sports Development Corporation (\$82,500), as demonstrate on page 64.

Section 2. To insert the following revenue commitment line item

12-1209-402015 "Hotel Motel Tax" \$377,500

Section 3. To insert the following appropriation commitment line items:

12-1209-509200 “Reserve for Doubtful Receivables” \$377,500

(Legislators O’Brien, Andrews, Beebe, Bronson, Eckel, Esposito, Gamble, Haney, Heider, Kaleh, Lee, Lightfoot, and Maneiro voted in the Positive)

Intro. 378
M. 75
13-16 F

Esposito/O’Brien (Amendment 12)
Motion to Amend Intro. No. 361 of 2010 to read as follows:

Section 1. To insert the following revenue commitment line items to restore Hotel Room Occupancy Tax collections:

89-8902-402015 (Hotel Motel Tax) \$1,269,016

12-1209-402015 (Hotel Motel Tax) \$4,917,500

Section 2. To insert the following appropriation commitment line items to restore expenditures made to various tourism and cultural organizations funded using Hotel Room Occupancy Tax revenue:

89-8902-504215 (Contribution to Agencies) \$1,269,016

12-1209-504215 (Contribution to Agencies) \$4,917,500

(Legislators O’Brien, Andrews, Beebe, Bronson, Eckel, Esposito, Gamble, Haney, Heider, Kaleh, Lee, Lightfoot, and Maneiro voted in the Positive)

Intro. 379
M. 76

Andrews/Esposito (Amendment 13)
Motion to Amend Intro. No. 361 of 2010 to read as follows:

Section 1. Include a new “2011 Major Objectives” Section on page 371 of the Proposed 2011 Monroe County Budget in the County Legislature Department section.

Section 2. Insert the following as a “2011 Major Objective” in the County Legislature Department:

Establish a Taxpayer Protection Act Budget Advisory Committee for the purpose of reviewing and auditing the classification of mandated and non-mandated spending in each of the Adopted County Budgets between 2008 – 2011, and future proposed County Budgets.

Legislator Quatro raised a Point of Order regarding the Intro. No. 379. President Adair ruled that Intro. No. 379 was Out of Order. Legislator Esposito made a Motion to Appeal the Ruling of the Chair, which was Seconded by Legislator Eckel and the Ruling of the President was Sustained by the following vote:

Ayes - Legislators Quatro, Antelli, Barker, Cassetti, Colby, Daniele, Drawe, Gumina, Hanna, Howland, McCann, Rockow, Tucciarello, Valerio, Yolevich, and President Adair – 16

Noes - Legislators O’Brien, Andrews, Beebe, Bronson, Eckel, Esposito, Gamble, Haney, Heider, Kaleh, Lee, Lightfoot, and Maneiro – 13

Intro. 380
M. 77

Esposito/Eckel (Amendment 14)
Motion to Amend Intro. No. 361 of 2010 to read as follows:

Section 1. Include a new “2011 Major Objectives” Section on page 365 of the Proposed 2011 Monroe County Budget in the County Legislature Department section.

Section 2. Insert the following as a “2011 Major Objective” in the County Legislature Department:

Reform the Legislative Redistricting Commission to create an independent, nonpartisan process to propose new district lines, following the release of the 2010 Census data.

Legislator Quatro raised a Point of Order regarding the Intro. No. 380. President Adair ruled that Intro. No. 380 was Out of Order. Legislator Esposito made a Motion to Appeal the Ruling of the Chair, which was Seconded by Legislator O'Brien and the Ruling of the President was Sustained by the following vote:

Ayes - Legislators Quatro, Antelli, Barker, Cassetti, Colby, Daniele, Drawe, Gumina, Hanna, Howland, McCann, Rockow, Tucciarello, Valerio, Yolevich, and President Adair – 16

Noes - Legislators O'Brien, Andrews, Beebe, Bronson, Eckel, Esposito, Gamble, Haney, Heider, Kaleh, Lee, Lightfoot, and Maneiro – 13

Intro. 381
M. 78

Heider/Esposito (Amendment 15)
Motion to Amend Intro. No. 361 of 2010 to read as follows:

Section 1. Include a new "2011 Major Objectives" Section on page 371 of the Proposed 2011 Monroe County Budget in the County Legislature Department section.

Section 2. Insert the following as a "2011 Major Objective" in the County Legislature Department:

To study the potential of reducing the size of the Monroe County Legislature and any associated cost savings.

Legislator Quatro raised a Point of Order regarding the Intro. No. 381. President Adair ruled that Intro. No. 381 was Out of Order. Legislator Eckel made a Motion to Appeal the Ruling of the Chair, which was Seconded by Legislator Esposito and the Ruling of the President was Sustained by the following vote:

Ayes - Legislators Quatro, Antelli, Barker, Cassetti, Colby, Daniele, Drawe, Gumina, Hanna, Howland, McCann, Rockow, Tucciarello, Valerio, Yolevich, and President Adair – 16

Noes - Legislators O'Brien, Andrews, Beebe, Bronson, Eckel, Esposito, Gamble, Haney, Heider, Kaleh, Lee, Lightfoot, and Maneiro – 13

Intro. 382
M. 79

Haney/Kaleh (Amendment 16)
Motion to Amend Intro. No. 361 of 2010 to read as follows:

Section 1. Include a new "2011 Major Objectives" Section on page 371 of the Proposed 2011 Monroe County Budget in the County Legislature Department section.

Section 2. Insert the following as a "2011 Major Objective" in the County Legislature Department:

Reinstitute the practice of an Annual Work Program for the Monroe County Legislature, pursuant to Section C2-4(B)(6) of the Monroe County Charter.

Legislator Quatro raised a Point of Order regarding the Intro. No. 382. President Adair ruled that Intro. No. 382 was Out of Order. Legislator Eckel made a Motion to Appeal the Ruling of the Chair, which was Seconded by Legislator O'Brien and the Ruling of the President was Sustained by the following vote:

Ayes - Legislators Quatro, Antelli, Barker, Cassetti, Colby, Daniele, Drawe, Gumina, Hanna, Howland, McCann, Rockow, Tucciarello, Valerio, Yolevich, and President Adair – 16

Noes - Legislators O'Brien, Andrews, Beebe, Bronson, Eckel, Esposito, Gamble, Haney, Heider, Kaleh, Lee, Lightfoot, and Maneiro – 13

Intro. 383

Andrews/O'Brien (Amendment 17)

M. 80

Motion to Amend Intro. No. 361 of 2010 to read as follows:

Section 1. Include a new “2011 Major Objectives” Section on page 371 of the Proposed 2011 Monroe County Budget in the County Legislature Department section.

Section 2. Insert the following as a “2011 Major Objective” in the County Legislature Department:

To establish a bipartisan Legislature subcommittee tasked with reducing the real property tax burden levied on Monroe County residents and businesses and develop a plan to address the long-term fiscal crisis facing Monroe County.

Legislator Quatro raised a Point of Order regarding the Intro. No. 383. President Adair ruled that Intro. No. 383 was Out of Order. Legislator Andrews made a Motion to Appeal the Ruling of the Chair, which was Seconded by Legislator O’Brien and the Ruling of the President was Sustained by the following vote:

Ayes - Legislators Quatro, Antelli, Barker, Cassetti, Colby, Daniele, Drawe, Gumina, Hanna, Howland, McCann, Rockow, Tucciarello, Valerio, Yolevich, and President Adair – 16

Noes - Legislators O’Brien, Andrews, Beebe, Bronson, Eckel, Esposito, Gamble, Haney, Heider, Kaleh, Lee, Lightfoot, and Maneiro – 13

Intro. 361
Res. 288
16-13

Main Motion

*(Legislators O’Brien, Andrews, Beebe, Bronson, Eckel, Esposito, Gamble, Haney, Heider, Kaleh, Lee, Lightfoot and Maneiro voted in the negative)
(Legislator Cassetti declared his interest prior to the vote)*

Intro. 427
M. 93
28-1

Quatro/O’Brien
Suspend Rule 545-4B
(Legislator Eckel voted in the negative)

Matters of Urgency

- | | | |
|---|---------|--|
| 38. Yolevich & Howland Intro. 428a Res. 324 29-0 | 10-0360 | Rescheduling of February and November Full Legislature Meetings Matter of Urgency |
| 39. Cassetti & Daniele Intro. 429 Res. 325 29-0 | 10-0399 | Confirming Scale Of Charges For Gates-Chili-Ogden Sewer District, Northwest Quadrant Pure Waters District, Irondequoit Bay South Central Pure Waters District And Rochester Pure Waters District, County Sewer Districts For The County Of Monroe, New York Matter of Urgency |
| 41. Howland & Hanna Intro. 428 Res. 326 29-0 | 10-0401 | Designating the County Executive to Allocate Recovery Zone Facility Bonds Matter of Urgency |
| 42. Valerio & Daniele Intro. 431 | 10-0402 | Enacting a Local Law Authorizing a Contract for the Sale to the City of Rochester Of One Parcel of County Owned Park Land at the Ontario Beach Park Boat Launch and For Continued Boat Launch Operation by the City Of Rochester Matter of Urgency |

(For Introductory Purposes Only)

43. Valerio & Daniele
Intro. 432
M. 94
29-0
- 10-0402 Providing that Local Law (Intro. No. of 2010) Entitled Enacting a Local Law Authorizing Contract for the Sale to the City of Rochester Of One Parcel of County Owned Park Land at the Ontario Beach Park Boat Launch and For Continued Boat Launch Operation by the City of Rochester,” Be Tabled
Matter of Urgency
44. Valerio & Daniele
Intro. 433
Res. 327
29-0
- 10-0402 Fixing a Public Hearing on Local Law (Intro. No. of 2010) Entitled “Enacting a Local Law Authorizing a Contract for the Sale to the City of Rochester Of One Parcel of County Owned Park Land at the Ontario Beach Park Boat Launch and for Continued Boat Launch Operation by the City of Rochester.”
Matter of Urgency
(Public Hearing is Scheduled for Tuesday, January 11, 2011 at 6:15 P.M.)

(Note: Agenda Item # 45 taken out of regular agenda order)

50. Daniele & Yolevich
Intro. 434-490

Intro. 491
M. 95
13-16 F
- 10-0404 br. Bond Resolutions for the 2011 Monroe County Capital Budget
Matter of Urgency

Haney/ Andrews
Motion to Sever Intro. Nos. 434-490

(Legislators O’Brien, Andrews, Beebe, Bronson, Eckel, Esposito, Gamble, Haney, Heider, Kaleh, Lee, Lightfoot, and Maneiro voted in the Positive)

Intro. 434-490
Res. 329-384
29-0
- Main Motion
51. Daniele & Yolevich
Intro. 492
Res. 385
29-0
- 10-0405 2010 Equalization Table – Real And Franchise Property And Ratios Of Assessed Value To Full Value
Matter of Urgency
52. Daniele & Yolevich
Intro. 493
Res. 386
29-0
- 10-0406 Unpaid School Taxes
Matter of Urgency
53. Daniele & Yolevich
Intro. 494
Res. 387
29-0
- 10-0407 Authorizing Director Of Finance For County Of Monroe To Make Refunds Or Corrections Of Taxes In Amount Of \$2,500 Or Less
Matter of Urgency
54. Daniele & Yolevich
Intro. 495
Res. 388
29-0
- 10-0408 Assessment On Towns For Delinquent Water And Sewer Taxes
Matter Of Urgency
55. Daniele &
- 10-0409 Total Tax Levy – Year 2011

48. Quatro & Tucciarello
Intro. 387
M. 85
29-0
- 10-0318 br. Providing That Resolution (Intro. No. 352 of 2010) Entitled, Resolution Authorizing The Issuance Of \$2,675,000 Bonds Of The County Of Monroe, New York, To Finance Part Of The \$3,400,000 Estimated Maximum Cost Of The Construction Of The Lion Exhibit At The Seneca Park Zoo, In And For Said County” Be Lifted From the Table
49. Valerio & Daniele
Intro. 388
M. 86
29-0
- 10-0318 br. Providing That Resolution (Intro. No. 352 of 2010) Entitled, Resolution Authorizing The Issuance Of \$2,675,000 Bonds Of The County Of Monroe, New York, To Finance Part Part Of The \$3,400,000 Estimated Maximum Cost Of The Construction Of The Lion Exhibit At The Seneca Park Zoo, In And For Said County” Be Adopted
- Intro. 351
Res. 290
29-0
- Main Motion

Upon Motion by Legislator E. Daniel Quatro, the Legislature adjourned at 1:00 a.m. until Tuesday, January 11, 2011 at 6:00 p.m.

CHERYL M. ROZZI
Clerk of the Legislature