

Sixth Day

TUESDAY, June 10, 2014

Legislature met pursuant to adjournment.

President Jeffrey R. Adair in the Chair.

ROLL CALL

Present – Legislators Adair, Ancello, Andrews, Bauroth, Boyce, Carbone, Colby, Daniele, Delehanty, Drawe, Haney, Howland, Kaleh, J. Lightfoot, Marianetti, Micciche, Morelle Jr., Quatro, Rivera, Rockow, Styk, Taylor, Tucciarello, Valerio, Wilcox, Yolevich – 26

Absent – Legislators Gamble, Gumina, W. Lightfoot – 3

The meeting formally opened. At the invitation of Legislator Leslie Rivera, Father Bob Werth of St. Francis Xavier Cabrini delivered the invocation. The Pledge of Allegiance to the Flag was led by Legislator Carrie Andrews

APPROVAL OF MINUTES

Without objection, the Journal of Day 5, May 13, 2014 session was approved as submitted.

PETITIONS AND COMMUNICATIONS

None

President Adair recognized Mark Quinn, Horticulturalist from the Parks Department, who introduced the Plant of the Month, the *Fuchsia*, to the Legislature.

Note: President Adair recognized former Legislator Dick Beebe and Legislator Cynthia Kaleh for her work as festival chairwoman of the Annual Maplewood Rose Festival that will take place June 14th and 15th at the Historic Maplewood Rose Garden.

PROCLAMATIONS

By the President of the Legislature – Jeffrey R. Adair

Recognized Jointly with Legislator Karla Boyce, “Kessler Trauma Center” for its national recognition and outstanding service to Monroe County.

Read and Filed.

Recognized Jointly with Legislator Debbie Drawe, Rene Vanmulen for his remarkable service to our country and his conscientious fight for veterans rights.

Read and Filed.

Recognized Jointly with Legislator Cynthia Kaleh, Dr. Ralph Spezio for his tireless efforts on behalf of the children of Rochester and Monroe County.

Read and Filed.

Recognized Jointly with Legislator Carrie Andrews, “Social Workers” for their hard work on behalf of the citizens of Monroe County

Read and Filed.

RECESS

President Adair declared a recess to allow for a Public Hearing entitled...

“Enact a Local Law Entitled ‘Monroe County Charter and Administrative Code Reform Act of 2014’”

Two speakers addressed the Legislature and the hearing concluded at 6:25 P.M.

FORMAL COMMITTEE REPORTS

None

PUBLIC FORUM

An Open Forum was conducted to allow speakers to address the Legislature. Twenty-three speakers addressed the Legislature and the Open Forum concluded at 7:27 P.M.

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

Intro. 260
M. 45
26-0

Adair/Tucciarello
Motion to Reconsider Intro. No. 249 of 2014

Yolevich &
Rockow
Intro. 249
Res. 214
26-0

14-0156.br A Resolution Authorizing the Issuance Pursuant to Section 90.10 or Section 90.00 of the Local Finance Law of Refunding Bonds of the County of Monroe, New York, to be Designated “Public Stadium Refunding Bonds”, and Providing for Other Matters in Relation Thereto and the Payment of the Bonds to be Refunded Thereby.
Ways and Means Committee; April 23, 2014 – CV: 10-0

Intro. 261
M. 46
26-0

Tucciarello/Andrews
Motion to Move Agenda Items 32 and 33 Out of Order

Matters of Urgency

32. Yolevich
Rockow
Intro. 258
Res. 212
26-0

14-0198.s Requesting the Senate of the State of New York Pursuant to Article IX of The Constitution to Enact Into Law Senate Bill No. S.6635A Entitled “AN ACT to authorize the commissioner of general services to transfer and convey certain unappropriated state land to Monroe County”

33. Yolevich
Rockow
Intro. 259
Res. 213
26-0

14-0199.a Requesting the Assembly of the State of New York Pursuant to Article IX of The Constitution to Enact Into Law Assembly Bill No. A.8842A Entitled “AN ACT to authorize the commissioner of general services to transfer and convey certain unappropriated state land to Monroe County”

RECESS

President Adair declared a recess. The meeting reconvened at 7:50 p.m.

CONSIDERATION OF LOCAL LAWS

1. Rockow & Tucciarello
Intro. 262
M. 47
26-0
- 14-0136.LL Providing that Local Law (Intro. No. 232 of 2014), Entitled “Monroe County Charter and Administrative Code Reform Act of 2014,” Be Lifted from the Table
2. Rockow & Tucciarello
Intro. 263
M. 48
21-5
- 14-0136.LL Providing that Local Law (Intro. No. 232 of 2014), Entitled “Monroe County Charter and Administrative Code Reform Act of 2014,” Be Adopted
(Legislators Andrews, Haney, Morelle, Jr., Rivera and Wilcox Voted in the Negative.)
- Intro. 264
M. 49
8-18 F
- Bauroth/Morelle, Jr. *(Amendment 1)*
Motion to Amend Intro. No. 232 of 2014 as follows:

§C2-12(C). Reapportionment procedures and standards.

- (1) The County Legislature shall appoint a Legislative District Revision Commission to evaluate the existing legislative districts for equity and representation in relation to population within six months by March 1st of the year following a regular federal census or within three months after the publication of the results of each regular federal census taken in the County, whichever occurs first; or within six months after the publication of the results of any County-wide federal or special population census, taken pursuant to § 20 of the General Municipal Law of the State of New York, and held not more often than once every five years; or after any annexation which has the effect of increasing or decreasing the population of any legislative district by more than 10%.
- (2) Such Commission shall consist of the eight members, who shall serve without compensation, appointed as follows: of the County Board of Elections, the President of the County Legislature and one person selected by the legislative members of each legally constituted political party represented on the County Legislature.
- (a) The two Commissioners of the Monroe County Board of Elections; and
- (b) Two retired judges, one to be appointed by the Majority Leader of the Monroe County Legislature and one to be appointed by the Minority Leader of the Monroe County Legislature; and
- (c) Two representatives recommended by a publicly recognized organization committed to the principles of voters’ rights and/or the advancement of public policy, one to be appointed by the Majority Leader of the Monroe County Legislature and one to be appointed by the Minority Leader of the Monroe County Legislature. “Publicly recognized organization committed to the principles of voters’ rights and/or public policy” shall mean any group, organization, association, or other entity, legally incorporated at least two years prior to the formation of the Commission, and established for the purposes of advocating on behalf of voters’ rights, and/or the advancement of public policy.. Notwithstanding the foregoing, any political committee, as defined in Article 14 of New York State Election Law, shall not be considered a publicly recognized organization committed to the principles of voters’ rights and/or the advancement of public policy; and

- (d) Two representatives of a publicly recognized minority organization, one to be appointed by the Majority Leader of the Monroe County Legislature and one to be appointed by the Minority Leader of the Monroe County Legislature. "Publicly recognized minority organization" shall mean any group, organization, association, or other entity, legally incorporated at least two years prior to the formation of the Commission, and established for the purposes of advocating on behalf of any race, creed, color, sex, gender, or national origin that did not constitute fifty percent or more of the Monroe County population as measured by the immediately preceding census. Notwithstanding the foregoing, any political committee, as defined in Article 14 of New York State Election Law, shall not be considered a publicly recognized minority organization; and
- (e) The chairperson of the Commission shall be elected by five affirmative votes of the members of the Commission.
- (3) Except for individuals appointed pursuant to sections C2-12C(2)(a) and C2-12C(2)(b), the following classes of individuals shall not be eligible to serve as members of the Commission:
 - (a) Individuals who currently serve or have served in the immediately preceding ten years in any elected federal, state or local partisan office; or
 - (b) Individuals who currently hold or have held any political party position or any political party officer, above the office of committee person, whether by election, appointment, or otherwise, during the immediately preceding five years; or
 - (c) Individuals who have served as a paid consultant retained by any candidate for partisan office or political party in the immediately preceding ten years, or
 - (d) Individuals who are the parent, child, sibling, or spouse of any member of the Monroe County Legislature or any political party officer, above the office of committee person.
- (3) (4) The Commission shall study the population data and within three months after appointment or by April 30th whichever occurs first, make recommendations, if necessary, in the form of a proposed local law as to changes in the boundaries of legislative districts. Such local law shall provide:
 - (a) For substantially equal weight, with a maximum of one percent deviation between district populations, for all the voters in the allocation of representation in the Monroe County Legislative body; and
 - (b) To the extent practicable and in the interest of ensuring equal representation, no town, except a town having more than one hundred and one percent of a full ratio for each representative, shall be divided in the formation of representation areas; and
 - 1. When a town must be divided, consideration shall be given to existing boundaries such as hamlets, subdivisions and neighborhood association boundaries.
 - (c) That no village shall be divided in the formation of representation areas; and
 - (d) To the greatest extent possible and in the interest of ensuring equal representation, no historic neighborhood in the City of Rochester shall be divided in the formation of representation areas.
- (4) (5) In its deliberations to redesign the legislative districts, the Commission shall comply with the equal protection clauses of the Fourteenth Amendment of the United States Constitution and Article I, §1 and 11, of the New York State Constitution. Further, legislative districts shall be of compact and contiguous territory to the extent possible in as compact form as practicable. Voter registration data or information shall not be considered in the formation or approval of the proposed local law.
- (5) (6) Within three two months after the submission of the report of the Commission, which shall be submitted to the County Legislature in the form of a proposed local law, the Legislature shall conduct a public hearing on the proposed changes, if any, and shall then enact by majority vote approve or disapprove a of the local law setting forth revised district boundaries as proposed by the Commission, subject to such permissive referendum as may be required pursuant to applicable state law.

- (6) ~~(7)~~ If such local law is defeated by referendum, or is finally declared invalid by a court of competent jurisdiction, the Legislative District Revision Commission shall be reactivated to study and prepare a new proposed local law for submission to the County Legislature at least 150 days prior to the next general election, subject to the same procedures and requirements as provided above.
- (8) Five members of the Commission shall constitute a quorum for the purposes of conducting the business of the Commission.
- (9) Five affirmative votes of the Commission shall be required to adopt and submit a proposed local law to the County Legislature.
- (10) The Commission shall hold regular meetings and keep a record of all of its proceedings, with special meetings to be called by the Chairperson upon his or her own initiative or upon receipt of a written request signed by at least four members of the Commission. Written notice of the time and place of such special meetings shall be given to each member at least four days before the date fixed by the notice for such special meeting. In addition to any other requirements imposed by law, the proceedings of the Commission shall be conducted in accordance with the current edition of Robert's Rules of Order.
- (11) All clerical services involving the month to month operation of the Commission, as well as supplies and postage as necessary, shall be provided by the professional staff of the bipartisan Board of Elections. The Commission may request, receive, and utilize such facilities, resources, and data of any department, office or agency of Monroe County as it may reasonably request to properly carry out its powers and duties.
- (12) The Commission shall conduct at least two public hearings within the County of Monroe for the purpose of obtaining necessary information or other data from the public. At least one hearing shall be held prior to the Commission beginning work on the reapportionment plan. At least one hearing shall be held following the completion of the draft reapportionment plan, but prior to any vote by the Commission to adopt the final plan. The time and place of each public hearing shall be published in the official County papers at five days before the date fixed for such hearing. The Commission is authorized to take such other actions as it deems necessary and appropriate to encourage substantial and diverse public input during the public hearings.
- (13) The Commission shall expire, and the terms of its members terminate, thirty days after a local law is adopted pursuant to Section C2-12C of the Monroe County Charter, at which time the Commission shall deposit all the records of the proceedings with the Clerk of the Legislature.
- (14) All vacancies in the membership of the Reapportionment Commission shall be filled in the manner provided for their original appointment.

Added language is underlined

Deleted language is ~~stricken~~

(Legislators Andrews, Bauroth, Haney, Kaleb, J. Lightfoot, Morelle, Jr., Rivera and Wilcox Voted in the Positive)

Intro. 265
M. 50
8-18 F

Haney/Andrews (*Amendment 2*)
Motion to Amend Intro. No. 232 of 2014 as follows:

Section 1. Section §A6-9 of the Administrative Code of Monroe County is hereby amended to read as follows:

§A6-9. Submission of annual budget to County Legislature.

As required by § C4-2, of the Charter, on or before ~~November 15~~ the second Tuesday in October of each year, the County Executive shall submit to the County Legislature the proposed annual budget, including both the proposed operating budget and the proposed capital budget for the ensuing fiscal year, a summary of the approved capital improvement program for the ensuing six (6) fiscal years, summaries of the budgets of

the Monroe Community Hospital, the Monroe Community College and all-authorized agencies for which funds are proposed to be appropriated, together with an accompanying budget message as prescribed by § A6-10 of this code.

Section 2. Section § A6-12 of the Administrative Code of Monroe County is hereby amended to read as follows:

§ A6-12. Public hearing.

Pursuant to § C4-3 of the Charter, before the final adoption of the annual budget, the County Legislature shall hold a public hearing or hearings on the proposed annual budget, as submitted by the County Executive. A summary of the annual budget, as submitted, shall be published at least once in one or more daily newspapers of general circulation in the County, which publication shall be made at least ~~five (5)~~ ten (10) days before the date set for the first hearing. The notice of any public hearing shall state the time, place and purpose of such hearing. Said notice shall also include the salaries of County Legislators as prescribed in § C2-11A of the Charter. Said notice shall be published at least once in one or more daily newspapers of general circulation at least ~~five (5)~~ ten (10) days before the date of the hearing. In addition, notices shall be sent to persons or organizations requesting such notices in writing. At such hearing, any person may be heard for or against the proposed annual budget submitted by the County Executive or any item thereof.

Section 3. Section §C4-2A of the Monroe County Charter is hereby amended to read as follows:

§C4-2. Submission of annual budget.

A. Annual budget defined. On or before ~~November 15~~ the second Tuesday in October, the County Executive shall submit to the County Legislature the proposed annual budget for the ensuing fiscal year, which budget shall include:

- (1) The proposed operating budget, which shall contain all estimated expenditures and revenues for the fiscal year for operating purposes, payments due for debt service and that portion of expenditures for capital projects to be funded from current revenues. The proposed operating budget shall also, contain the basis for estimates of yields of existing and authorized revenue sources.
- (2) The proposed capital budget, as defined in § C4-11A of this charter.
- (3) A summary of the approved capital improvement program for the ensuing six years.
- (4) Summaries of the budgets of the Monroe Community Hospital, the Monroe Community College and all authorized agencies for which funds are proposed to be appropriated.
- (5) The budget message, as specified in § A6-10 of the Administrative Code.

Section 4. Section §C4-3 of the Monroe County Charter is hereby amended to read as follows:

§ C4-3. Public hearing.

Final action shall not be taken on the proposed annual budget until at least one public hearing has been held thereon after ~~five (5)~~ ten (10) days' notice. It shall be the duty of the County Legislature to arrange for and hold such hearing or hearings. A summary budget, as submitted by the County Executive, shall be published at least once in one or more daily newspapers of general circulation in the County, which publication shall be made at least ~~five (5)~~ ten (10) days before the date set for the first hearing.

Section 5. Section §C4-4 of the Monroe County Charter is hereby amended to read as follows:

§C4-4. Adoption of annual budget.

A. The County Legislature, in considering the proposed annual budget submitted by the County Executive, may delete, revise, alter, increase or decrease the items of expenditure, except for debt service, in the operating or capital budgets; provided, however, that no capital project shall be added to the operating or capital budgets until it has first been reviewed by the County Executive and the Planning Board. The County Legislature shall refer any such proposed additions to the County Executive and the Planning Board for such review and recommendations. Such review shall take place within 10 days after the receipt of such referral, provided that if the recommendations of the County Executive and the Planning Board are not received by the County Legislature within such period of time, the Legislature may proceed to act on such proposed addition or additions as it deems appropriate. The Legislature shall have the power to add revenue sources or increase rates of nonproperty taxes, fees and charges as authorized by applicable state law; provided, however, that it shall not alter the estimates of yields of existing and authorized revenue sources as submitted by the County Executive. No later than the 15th day of November the County Legislature shall meet for the purpose of deliberating upon the adoption of the budget.

B. If the budget is passed by the County Legislature with no changes from the budget as submitted by the County Executive, such budget shall be deemed to have been adopted without any further action by the County Executive. If, however, the budget as passed by the County Legislature contains any such changes, such changes shall be presented forthwith by the Clerk of the Legislature to the County Executive, but not later than the second Tuesday in December ~~16th~~, for his or her consideration of such changes.

C. The County Executive may approve or object to any one or more of such changed items. If the County Executive approves all of such changes, he or she shall affix his or her signature to a statement, and return the budget and such statement to the Clerk of the Legislature within 48 hours after his or her receipt of such changes. The budget, including all of such changes as part thereof, shall then be deemed to have been adopted. If the County Executive objects to any one or more of such changed items, he or she shall append to the budget a statement of the changed items to which he or she objects with the reasons for the objections and shall return the budget with his or her objections to the Clerk of the Legislature within 48 hours after his or her receipt of such changes. If a budget with changes made by the County Legislature is not returned by the County Executive to the Clerk of the Legislature, either approving such changes or objecting to one or more of such changed items, within 48 hours after its receipt by the County Executive, said budget shall be deemed to have been adopted as submitted by the Legislature to the County Executive. All actions to be performed within a forty-eight-hour period shall be performed within 48 hours regardless of whether the forty-eight-hour period expires upon a Saturday, Sunday, or holiday.

D. Upon timely receipt by the Clerk of the Legislature from the County Executive of a budget with a statement of changed items to which he or she objects with the reasons for the objections, the Clerk shall forthwith give notice to all Legislators of a special meeting of the Legislature, to be held within 48 hours after receipt by the Clerk of such budget and statement of objections, to reconsider the changes objected to. Upon convening such meeting, the County Legislature shall enter the County Executive's objections upon its journal and proceed to reconsider each of the changes so objected to. Only one vote shall be taken on each such item to be reconsidered. If, upon such reconsideration, 3/5 of the whole number of members of the County Legislature vote to approve such changes, or any of them, the budget with any such changes so approved, together with any such changes not so objected to by the County Executive, shall be deemed to have been adopted. If the County Legislature fails to meet or fails to reconsider the changed items objected to by the County Executive, within 48 hours after receipt by the Clerk of the Legislature of the budget and statement of objections from

the County Executive, the budget as submitted by the County Executive with the changes made by the Legislature which have not been objected to by the County Executive shall be deemed to have been adopted. ~~All actions to be performed within a forty-eight hour period shall be performed within 48 hours regardless of whether the forty-eight hour period expires upon a Saturday, Sunday, or holiday.~~

E. If a budget has not been passed by the County Legislature, either with or without changes to the budget submitted by the County Executive, on or before the ~~second last~~ Tuesday in ~~December~~ November, the Legislature shall convene each and every day thereafter, including Saturdays, Sundays and holidays, to pass the budget. Such sessions shall be for a minimum of two hours each day, the specific times to be set by the President of the Legislature, and shall continue daily until a budget is passed or until and including ~~16th~~ the second Tuesday in December, whichever occurs first.

F. If a budget has not been passed by the County Legislature on or before ~~16th~~ the second Tuesday in December and the Legislature has not agreed upon any changes to the budget as submitted by the County Executive, the budget as submitted by the County Executive shall be deemed to have been adopted. If, however, a budget has not been passed by the Legislature by said date but one or more changes have been agreed upon by the Legislature, the Clerk of the Legislature shall forthwith transmit all of said changes to the County Executive for his or her consideration. The County Executive shall then have a period of 48 hours to consider such changes in accordance with the procedure set forth in Subsection C above. If a statement by the County Executive either approving or objecting to one or more of such changes is not received by the Clerk of the Legislature within said forty-eight hour period, the budget, as submitted by the County Executive with the changes agreed upon by the Legislature which have been transmitted to the County Executive, shall be deemed to have been adopted. If a timely statement by the County Executive objecting to one or more of such changes is received by the Clerk of the Legislature, the County Legislature shall have a period of 48 hours to reconsider such changes in accordance with the procedure set forth in Subsection D above. If the County Legislature fails to meet or fails to reconsider the changed items objected to by the County Executive within said forty-eight hour period, the budget, as submitted by the County Executive with the changes made by the Legislature which have not been objected to by the County Executive, shall be deemed to have been adopted.

G. If not formally adopted by the County Legislature, any appropriation or other resolution required to make the budget legally effective shall be deemed to have been adopted by the Legislature as of the date of the final adoption of the budget pursuant to the procedures set forth above. The Legislature shall provide for the raising of the taxes required by such budget in the manner and within the time prescribed by this Charter and other applicable law.

H. Upon adoption of the annual budget, the County Legislature shall forthwith, as its next item of business, adopt such resolutions authorizing the issuance of obligations or other financing resolutions as may be necessary to authorize the financing of capital projects contained in the capital budget for the ensuing fiscal year. Only those capital projects for which such resolutions authorizing the issuance of obligations or other financing resolutions have been adopted and those capital projects included in previous capital budgets for which increases in financing have been authorized by the Legislature shall be deemed to be included in the adopted capital budget for the ensuing year.

Added language is underlined
Deleted language is ~~stricken~~

(Legislators Andrews, Bauroth, Haney, Kaleb, J. Lightfoot, Morelle, Jr., Rivera and Wilcox Voted in the Positive)

Intro. 266
M. 51
8-18 F

Kaleh/Bauroth (*Amendment 3*)
Motion to Amend Intro. No. 232 of 2014 as follows:

Section 1. Section §C2-6(C)(15) is added to the Monroe County Charter:

§ C2-6(C)(15) Legislative Oversight of Local Development Corporations

The Monroe County Legislature will exercise the following oversight functions over all local development corporations, which are hereby defined as a “Local Authority,” as defined in the Public Authorities Accountability Act, created for the benefit of the County of Monroe:

- a. To confirm the appointments of all members to the boards of directors of local development corporations established for the benefit of Monroe County, New York.
- b. To hold two voting positions on the boards of directors of all local development corporations established in Monroe County, New York. One such position shall be filled by a nominee of the majority leader of the Legislature and the other shall be filled by a nominee of the minority leader of the Legislature.
- c. To approve the annual budgets of all local development corporations established in Monroe County, New York prior to the start of their fiscal years.
- d. To require that quarterly financial reports and annual audited financial statements of all local development corporations established in Monroe County, New York be submitted to and filed with the Clerk of the Legislature. The annual audit reports shall be filed within 181 days of the end of the LDC’s fiscal year.
- e. To require that all local development corporations shall be subject to the Public Authorities Accountability Act, the Freedom of Information Law, the Open Meetings Law and competitive bidding statutes as adopted and periodically amended by the State Legislature since they constitute a “local authority” performing a public function.
- f. To require that all contracts between Monroe County and an LDC do not exceed a term of five (5) years. Any renewal contract shall be subject to approval by a majority vote of the Monroe County Legislature.
- g. To require the public notice of any proposed transfer of County-owned real property to an LDC include a description of the property to be sold or leased, the price or benefit received by the local government for the asset being transferred, the estimated fair market value of the asset, and a statement of the intended use of the property by the LDC. Such statement shall be filed with Clerk of the Legislature prior to the transfer of property.
- h. Any amendments to any contact between Monroe County and an LDC must be approved by a majority vote of the Monroe County Legislature.
- i. To approve, by a two-thirds majority vote, any bonding resolutions issued by a local development corporation contracting for the County of Monroe when the revenue for such a contract is pledged to pay back the bonds.

Added language is underlined
Deleted language is ~~stricken~~

(Legislators Andrews, Bauroth, Haney, Kaleh, J. Lightfoot, Morelle, Jr., Rivera and Wilcox Voted in the Positive)

Intro. 267
M. 52
8-18 F

Rivera/ Andrews (*Amendment 4*)
Motion to Amend Intro. No. 232 of 2014 as follows:

Article VI – Office of Public Integrity

Section 45-26 Establishment.

There is hereby established an Office of Public Integrity, consisting of a Director who shall have the duty to coordinate the analysis, investigation and resolution of complaints and concerns involving County Government Operations, and the duty to initiate periodic reviews of county departments and their subdivisions, local development corporations, public authorities and other local authorities created by local government.

There is hereby established a five member Public Integrity Board whose duty shall be to hire, manage and oversee the Director of the Office of Public Integrity and to ensure the Director fulfills his mission. The five members shall be appointed as follows: one by the County Executive, two by the Majority Leader of the Monroe County Legislature, two by the Minority Leader of the Monroe County Legislature. Such board members shall not be employees or elected or appointed officials of New York State, Monroe County, or any other political subdivisions in New York State.

Section 45-27 Powers and Duties.

The Director of the Office of Public Integrity shall have the following powers and duties:

1. To coordinate the analysis, investigation and resolution of concerns and complaints involving County Government operations;
2. To initiate periodic reviews of the financial records and procedures of all County departments, bureaus and their subdivisions in accordance with accepted auditing principles;
3. To initiate periodic reviews of local development companies, public authorities and any other local authorities created by local government, as defined in the Public Authorities Accountability Act, in accordance with accepted auditing principles and practices;
4. To provide policy recommendations designed to prevent and detect fraud, waste, and abuse, and to promote economy, efficiency and effectiveness in all County operations;
5. To report biannually to the Clerk of the Monroe County Legislature on the office's activities, and provide updates to the Monroe County Legislature as requested; and
6. To work and coordinate with law enforcement agencies as necessary.

Section 45-28 Miscellaneous.

All County employees, agents, contractor or consultants shall cooperate fully with any inquiry or investigation by the Office of Public Integrity.

Added language is underlined
Deleted language is ~~stricken~~

(Legislators Andrews, Bauroth, Haney, Kaleh, J. Lightfoot, Morelle, Jr., Rivera and Wilcox Voted in the Positive)

Intro. 268
M. 53
8-18 F

Kaleh/J. Lightfoot (*Amendment 5*)
Motion to Amend Intro. No. 232 of 2014 as follows:

1. The County Legislature shall have the power to fix the compensation of its members, and the compensation of the President, Vice President, Majority and Minority Leaders, Assistant Majority and Minority Leaders, and committee Chairpersons and Vice Chairpersons of the Legislature, which compensation shall be stated annual salaries; all of said salaries to be paid by the Director of Finance of the County in like manner as other County salaries are paid. The salary of each County ~~Legislature~~ Legislator and the

salaries of the President, Vice President, Majority and Minority Leaders, Assistant Majority and Minority Leaders, and committee Chairpersons and Vice Chairpersons, Legislature Clerk, County Executive, Sheriff and County Clerk shall not exceed the salaries as specified in the notice of the public hearing on the proposed budget prepared for such fiscal year, ~~unless recommended by the Compensation Policy Commission.~~ Such public notice shall include a specified listing of any proposed changes from the previous years' adopted salary levels for all of the above noted positions.

Added language is underlined
Deleted language is ~~stricken~~

(Legislators Andrews, Bauroth, Haney, Kaleb, J. Lightfoot, Morelle, Jr., Rivera and Wilcox Voted in the Positive)

Intro. 269
M. 54
8-18 F

Haney/Kaleb (*Amendment 6*)
Motion to Amend Intro. No. 232 of 2014 as follows:

§C2-6 Powers & Duties of the Legislature.

(15) To approve of the adopting of any pension amortization, or other mechanism where pension costs to the New York State Pension Fund are deferred or interest costs will be assessed, by a two-thirds (i.e. 20) vote in the affirmative on a resolution providing for the same.

Added language is underlined
Deleted language is ~~stricken~~

(Legislators Andrews, Bauroth, Haney, Kaleb, J. Lightfoot, Morelle, Jr., Rivera and Wilcox Voted in the Positive)

Intro. 270
M. 55
8-18 F

Morelle, Jr /J. Lightfoot (*Amendment 7*)
Motion to Amend Intro. No. 232 of 2014 as follows:

1. Except as set forth in Subsection B below and in accordance with the provisions of § C2-6C(13) and § C3-2A(17) of the County Charter and within budgetary appropriations adopted by the County Legislature, the County Executive is delegated the power to authorize, enter into and execute any agreement or contract on behalf of the county for goods and services where the total consideration thereof is ~~\$5,000~~ \$20,000 or less and any lease, rental, occupancy or other agreement for space needed for county activities for a term or terms not to exceed five years when the total consideration of such lease, rental, occupancy or other agreement for space is \$50,000 or less.

Added language is underlined
Deleted language is ~~stricken~~

(Legislators Andrews, Bauroth, Haney, Kaleb, J. Lightfoot, Morelle, Jr., Rivera and Wilcox Voted in the Positive)

Intro. 271
M. 56
8-18 F

Wilcox/Haney (*Amendment 8*)
Motion to Amend Intro. No. 232 of 2014 as follows:

45-24 Establishment.

There is hereby established a Board of Ethics, consisting of three members to be appointed by the County Executive subject to confirmation by the Monroe County Legislature and who shall serve without compensation and at the pleasure of the County Executive. A majority of such members shall be persons other than officers and employees of the County of Monroe or a municipality located in the County but shall include at least one member who is an elected or appointed officer or employee of the County of Monroe or a municipality located in the County.

Added language is underlined
Deleted language is ~~stricken~~

(Legislators Andrews, Bauroth, Haney, Kaleh, J. Lightfoot, Morelle, Jr., Rivera and Wilcox Voted in the Positive)

Intro. 272
M. 57
26-0

Kaleh/Wilcox (*Amendment 9*)
Motion to Amend Intro. No. 232 of 2014 as follows:

1. The Board shall consist of 15 persons to be appointed by the President of the County Legislature, subject to confirmation by the Legislature. It shall include two County Legislators, one member ~~of the majority party~~ recommended by the Majority Leader and one member ~~of the largest minority party~~ recommended by the Minority Leader. The Board shall also include one representative of each of the following: the University of Rochester School of Medicine and Dentistry, the Rochester Regional Hospital Association, the Finger Lakes Health Systems Agency, the United Way of Greater Rochester, Inc., the Medical Society of the County of Monroe, a relative of a current or former resident. The Board shall also include three citizens at large of the County; and three Monroe Community Hospital residents to be nominated by the Monroe Community Hospital Residents' Council.

Added language is underlined
Deleted language is ~~stricken~~

Intro. 273
M. 58
8-18 F

Haney/Wilcox (*Amendment 10*)
Motion to Amend Intro. No. 232 of 2014 as follows:

Article V. Planning Function

§C5-1. Intent.

The intent of this Article is to define and authorize the County planning function and establish an organizational structure for its exercise in order to achieve the broad social, physical and economic development objectives of the County. It is intended that the County, through its comprehensive planning function, carry out its responsibility to plan for and guide the orderly development of the County in such a way as to minimize the costs of providing public services, to protect the natural and cultural amenities of the County and to assure the future desirability of the County as a place in which to live and work. ~~In serving this intent, this Article calls for the preparation and updating of a Comprehensive Development Plan; the provision of planning services to County and local governments; the coordination and integration of plans and programs of County departments and other agencies, particularly as such plans and programs relate to the development of the County; the maintenance and dissemination of information related to the development of the County; the review of certain land use and development proposals; the preparation annually of a capital improvement program; and other activities necessary to carry out the planning function.~~ In serving this intent, this Article calls for the preparation and updating of a Comprehensive Development Plan; the provision of planning services to County and local governments; the coordination and integration of plans and programs of County departments and other agencies, particularly as such plans and programs relate to the development of the County; the maintenance and dissemination of information related to the development of the County; the review of certain land use and development proposals; the preparation annually of a capital improvement program; and other activities necessary to carry out the planning function.

§ C5-2 Department of Planning and Development.

[Amended 8-28-1980 by L.L. No. 5-1980; 6-9-1992 by L.L. No. 5-1992, approved 7-2-1992]

A. Department established; Director. There shall be a Department of Planning and Development, the head of which shall be the Director of Planning and Development. The Director of Planning and Development shall be appointed by the County Executive, as set forth in § A9-2 of the Administrative Code.

B. Powers and duties. The Director of Planning and Development shall have the following powers and duties.

- (1) To advise the County Executive, County legislature, planning board, departments, and other agencies with respect to any matter relating to the development or redevelopment of the County on which an opinion is requested, or upon which the Director of Planning and Development deems it advisable to report;
- (2) To prepare and maintain a comprehensive development plan and annual planning program for the County as set forth in § C5-3 of this Article and ~~Articles VII and VIII~~ Articles VII and VIII Article X Article X of the Administrative Code;
- (3) To assist in the preparation of a capital improvement program as set forth in § C4-10 of this charter and § A7-1 of the Administrative Code;
- (4) To exercise the powers of review and approval over land use pursuant to § C5-4 of this Article and §§ A10-5, A14-1 and A14-2 of the Administrative Code;
- (5) To perform development reviews and approvals as provided for in Article 12-B of the General Municipal Law of the State of New York, including the review of subdivisions pursuant to § 239-n of said General Municipal Law, and to perform such other development reviews as may be required by or may pertain to federal, state, regional, County and local governmental agencies and actions;
- (6) To make available for planning purposes the services of the technical staff to the local planning commissions and boards of the cities, towns and villages within the County, provided that staff resources are available for such services;
- ~~(7) To review, coordinate and integrate the planning and development programs of departments and other agencies in accordance with § C5-4D of this Article and §§ A12-1 and A12-2 of the Administrative Code;~~
- (7) To review, coordinate and integrate the planning and development programs of departments and other agencies in accordance with § C5-4D of this Article and §§ A12-1 and A12-2 of the Administrative Code;
- ~~(8) (7) (8)~~ To undertake advisory reviews, so as to achieve improved coordination and integration of the planning and development programs of cities, towns and villages within the County and of all other governmental agencies, including the state agencies and public utilities operating within and affecting the County;
- ~~(9) (8) (9)~~ To maintain, in accordance with ~~§§ A15-1, A15-2 and A15-3 Article XV~~ §§ A15-1, A15-2 and A15-3 of the Administrative Code, basic data on the County's population, land use, housing environmental status, human and natural resources and such other matters; and to make such studies, analyses, plans and recommendations as may be necessary in the exercise of the powers and performance of the duties set forth in this Article;
- ~~(10) (9) (10)~~ To prepare, file, and examine various maps of the County, ~~including, including,~~ as set forth in ~~§ A15-3 Article XV~~ § A15-3 of the Administrative Code, ~~detailed base maps of each town and village in the County, showing new streets and subdivisions therein; and to compile a current index of the location of streets in the County in accordance with § A15-2 of the Administrative Code;~~ detailed base maps of each town and village in the County, showing new streets and subdivisions therein; and to compile a current index of the location of streets in the County in accordance with § A15-2 of the Administrative Code;
- ~~(11) (10) (11)~~ To serve as Secretary of the Planning Board;
[Amended 10-8-1996 by L.L. No. 7-1996, approved 10-28-1996]
- ~~(12) (11) (12)~~ To plan for the County's future economic growth by identifying development opportunities and targeting resources toward such development;
- ~~(13) (12) (13)~~ To provide one place for businesses and developers to obtain the planning, financing and technical assistance they need to locate and thrive in Monroe

County;

~~(14) (13)~~ (14) To administer such federal, state and local programs and projects related to economic development and community infrastructure which may be assigned to the Department by the County Executive;

~~(15) (14)~~ (15) To administer other County functions related to economic development and community infrastructure which may be assigned to the Department by the County Executive;

~~(16) (15)~~ (16) To monitor the economic effects and implications of County and other governmental policies, regulatory programs and practices;

~~(17) (16)~~ (17) To create other divisions of this Department as required, with the approval of the County Executive;

~~(18) (17)~~ (18) To coordinate and administer programs concerning employment training and placement, especially for those who are unemployed or underemployed.

[Added 11-22-1994 by L.L. No. 9-1994, approved 12-21-1994[1]]

[1]:Editor's Note: This local law also provided for the renumbering of former Subsection B(18) as Subsection B(19).

~~(19) (18)~~ (19) To perform such other duties as may be required by § A9-2C of the Administrative Code and by other laws.

§ C5-3 Comprehensive Development Plan ~~and annual planning program and annual planning program~~.

A. Comprehensive Development Plan requirements. The County shall have and maintain an official plan for the comprehensive social, physical and economic development of the County, focusing primarily on the services, functions and responsibilities of County government ~~as provided for in Section 239d of the New York State General Municipal Law~~. ~~The contents of such plan shall be as set forth in § A10-1 of the Administrative Code. Such plan or any of its elements or any parts thereof shall be submitted upon completion to the County Legislature for adoption. The procedures for the preparation, submission and adoption of such plan, as well as amendments thereto, shall be as set forth in §§ A10-2, A10-3 and A10-4 of the Administrative Code. The community shall be given adequate opportunity to participate in the preparation and amendment of such plan in accordance with the procedures set forth in § C5-6 of this Article and § A16-1 of the Administrative Code. The contents of such plan shall be as set forth in § A10-1 of the Administrative Code. Such plan or any of its elements or any parts thereof shall be submitted upon completion to the County Legislature for adoption. The procedures for the preparation, submission and adoption of such plan, as well as amendments thereto, shall be as set forth in §§ A10-2, A10-3 and A10-4 of the Administrative Code. The community shall be given adequate opportunity to participate in the preparation and amendment of such plan in accordance with the procedures set forth in § C5-6 of this Article and § A16-1 of the Administrative Code.~~

B. ~~Intent of Comprehensive Development Plan.~~ Intent of Comprehensive Development Plan. The Comprehensive Development Plan is intended to serve as a guide for achieving the broad social, physical and economic development objectives of the County. The plan is intended to give direction to the actions of the County Legislature and of departments and other agencies, as such actions affect the development of the County, and it is intended to guide all official County plans and policies for both services and capital facilities, including but not limited to County plans and policies concerning human resources, public safety services, physical and environmental resources and land use. ~~Although the authority of the plan over the actions of local governments and private interests is limited to that authority set forth in Subsection C below and in § C5-4 of this Charter, the plan is intended to serve as a general guide to such actions as they affect the development of the County. The plan, through its development and continuing amendment, is intended to serve as a means for reviewing, modifying and integrating all individual plans before such plans are implemented. The plan thereby is intended to assist in achieving the following with respect to community services and facilities:~~

- ~~(1) Coordination;~~
- ~~(2) Consistency in application of policies and accepted standards;~~
- ~~(3) Public and official evaluation of the effectiveness of governmental performance;~~
- ~~(4) Elimination of unnecessary duplication; and~~
- ~~(5) Maximum utilization.~~

Although the authority of the plan over the actions of local governments and private interests is limited to that authority set forth in Subsection C below and in § C5-4 of this Charter, the plan is intended to serve as a general guide to such actions as they affect the development of the County. The plan, through its development and continuing amendment, is intended to serve as a means for reviewing, modifying and integrating all individual plans before such plans are implemented. The plan thereby is intended to assist in achieving the following with respect to community services and facilities:

- (1) Coordination;
- (2) Consistency in application of policies and accepted standards;
- (3) Public and official evaluation of the effectiveness of governmental performance;
- (4) Elimination of unnecessary duplication; and
- (5) Maximum utilization.

~~C. Effect of Comprehensive Development Plan. Whenever a comprehensive development plan or any of its elements or any parts thereof shall have been adopted as provided in § A10-3 of the Administrative Code, the following shall apply:~~

~~(1) In accordance with the guidelines in § A10-5 of the Administrative Code, no street or other public way; public park, ground, open space or other public space; County building or other County structure; or public utility shall be constructed, created or authorized in any portion of the County in respect to which said plan or part thereof has been adopted, until the location, character and extent of such project shall have been submitted to and approved by the Director of Planning and Development as conforming to the general intent and purposes of the Comprehensive Development Plan. Appeals from decisions of the Director of Planning and Development may be made to the Planning Board as set forth in § C5-5 of this Article; or where a project does not conform to the general intent and purposes of the Comprehensive Development Plan, the County Legislature may amend the Comprehensive Development Plan in accordance with the procedures set forth in § A10-4 of the Administrative Code.~~

~~{Amended 6-9-1992 by L.L. No. 5-1992, approved 7-2-1992}~~

~~(2) Expenditures of funds for support of County service programs shall not be authorized unless the County manager certifies their consistency with the general intent and purpose of the Comprehensive Development Plan.~~

C. Effect of Comprehensive Development Plan. Whenever a comprehensive development plan or any of its elements or any parts thereof shall have been adopted as provided in § A10-3 of the Administrative Code, the following shall apply:

(1) In accordance with the guidelines in § A10-5 of the Administrative Code, no street or other public way; public park, ground, open space or other public space; County building or other County structure; or public utility shall be constructed, created or authorized in any portion of the County in respect to which said plan or part thereof has been adopted, until the location, character and extent of such project shall have been submitted to and approved by the Director of Planning and Development as conforming to the general intent and purposes of the Comprehensive Development Plan. Appeals from decisions of the Director of Planning and Development may be made to the Planning Board as set forth in § C5-5 of this Article; or where a project does not conform to the general intent and purposes of the Comprehensive Development Plan, the County Legislature may amend the Comprehensive

Development Plan in accordance with the procedures set forth in § A10-4 of the Administrative Code.

[Amended 6-9-1992 by L.L. No. 5-1992, approved 7-2-1992]

(2) Expenditures of funds for support of County service programs shall not be authorized unless the County manager certifies their consistency with the general intent and purpose of the Comprehensive Development Plan.

~~D. Annual planning program. Following the adoption of the Comprehensive Development Plan, the County shall undertake an annual planning program which shall update and maintain the relevance of the Comprehensive Development Plan. The annual planning program shall conform with the requirements as set forth in § A11-1 and A11-2 of the Administrative Code.~~

D. Annual planning program. Following the adoption of the Comprehensive Development Plan, the County shall undertake an annual planning program which shall update and maintain the relevance of the Comprehensive Development Plan. The annual planning program shall conform with the requirements as set forth in § A11-1 and A11-2 of the Administrative Code.

§ C5-4 Review and approval over land use.

[Amended 9-14-1983 by L.L. No. 3-1983;[1] 6-9-1992 by L.L. No. 5-1992, approved 7-2-1992]

A. Review and approval in the vicinity of publicly owned airports. The Director of Planning and Development shall have the authority of review and approval specified below in accordance with the procedures, standards and guidelines set forth in § A14-1 of the Administrative Code. Appeals from decisions of the Director of Planning and Development may be made to the Planning Board as set forth in § C5-5 of this Article. (1) For the purpose of governing the efficient use and safe operation of publicly owned airports and for the purposes of assuring that land use and land subdivision in the vicinity of publicly owned airports will be of such character as not to subject undue concentrations of people to aircraft crash hazards, aircraft noises or other adverse impacts of airport operations, the Director of Planning and Development shall have the power of review and approval over land use and land subdivision, including the height of all structures:

- (a) Within one mile from the boundary line of any publicly owned airport within the County; and
- (b) Within the approach/departure corridors of instrument-equipped runways at such airports, not to exceed three miles in length from the end of the runway and one mile in width, as shown on a map based on Federal Aviation Administration standards prepared by the Director of Planning and Development, said map to be approved by the Planning Board.

No map subdividing such land into lots for residential, business or industrial purposes in such areas shall be accepted for filing by the County Clerk unless it shall have been approved by the Director of Planning and Development and shall have such approval endorsed thereon.

(2) For the purpose of governing the efficient use and safe operation of publicly owned airports, the Director of Planning and Development shall have the power of review and approval over the height of any structure which is to be located outside the area defined in Subsection A(1) above, where the following two conditions obtain:

- (a) The structure is to be located within a distance of seven miles from the nearest runway of any publicly owned airport in the County; and

(b) The structure is to be of greater height than an imaginary surface extending outward and upward at a slope of one hundred to one (100:1) from such runway. The elevation of runways of the Greater Rochester International Airport [Editor's Note: The name of the airport has been changed in this subsection pursuant to Res. No. 251-1987.] shall be considered to be 530 feet above mean sea level, United States Geological Survey datum.

(3) The height of structures described below shall be exempt from the review and approval of the Director of Planning and Development pursuant to this subsection; however, such structures shall not be exempt from review if located in the area defined in Subsection A(1) above.

(a) Any structure that would be shielded by existing structures of a permanent and substantial character or by natural terrain or topographic features of equal or greater elevation, where it is evident that the structure so shielded will not adversely affect safety in air navigation;

(b) Any antenna structure of no more than 20 feet in height, except one that would increase the height of another antenna structure to be combined total height of more than 20 feet; and

(c) Any one-family or two-family home, including any appurtenant structure which does not exceed the peak of the roof of such home by a height of more than 20 feet.

~~B. Review and approval in relation to major street plan. In accordance with the guidelines in § A14-2 of the Administrative Code, the Director of Planning and Development shall have authority to approve, modify or disapprove plans submitted for subdivision or development of land anywhere in the County in areas abutting on the streets contained in the major street plan for the County as adopted by the County Legislature as a part of the Comprehensive Development Plan. Appeals from decisions of the Director of Planning and Development may be made to the Planning Board as set forth in § C5-5 of this Article.~~

B. Review and approval in relation to major street plan. In accordance with the guidelines in § A14-2 of the Administrative Code, the Director of Planning and Development shall have authority to approve, modify or disapprove plans submitted for subdivision or development of land anywhere in the County in areas abutting on the streets contained in the major street plan for the County as adopted by the County Legislature as a part of the Comprehensive Development Plan. Appeals from decisions of the Director of Planning and Development may be made to the Planning Board as set forth in § C5-5 of this Article.

~~B.~~ C. Advisory review on land use. The Director of Planning and Development shall have the power of review, with the right to render advisory reports only, over land use and land subdivision:

(1) Within 1/4 mile of the shoreline of Lake Ontario and Irondequoit Bay.

(2) Within the hundred-year floodplain of the Genesee River, Irondequoit Creek, Black Creek, Little Black Creek, Oatka Creek, Honeoye Creek, Red Creek and Salmon Creek. The Director of Planning and Development shall complete such reviews within 30 days of the receipt of a complete application, except that this thirty-day period may be extended by agreement between the municipality and the Director of Planning and Development.

~~D. Advisory reviews on actions by departments and other agencies. Before adopting any final plans, policies or standards on services or capital facilities and before making any recommendation to the County Legislature on any such plans, policies or standards, on the acquisition or sale of land, on major changes in the use of land or on site plans for~~

~~any County building or buildings, departments and other agencies shall refer such proposals to the Director of Planning and Development for a written report of his or her recommendations with respect thereto. Such report shall be prepared and submitted in accordance with guidelines set forth in § A12-2 of the Administrative Code.~~

D. Advisory reviews on actions by departments and other agencies. Before adopting any final plans, policies or standards on services or capital facilities and before making any recommendation to the County Legislature on any such plans, policies or standards, on the acquisition or sale of land, on major changes in the use of land or on site plans for any County building or buildings, departments and other agencies shall refer such proposals to the Director of Planning and Development for a written report of his or her recommendations with respect thereto. Such report shall be prepared and submitted in accordance with guidelines set forth in § A12-2 of the Administrative Code.

§ C5-7 Related board: County Planning Board.

There shall be a County Planning Board, whose membership, procedures and duties shall be as specified below.

A. Membership. The Planning Board shall consist of eight citizens, three appointed by the County Legislature, four appointed by the County Executive, representing local planning boards or zoning boards of appeals, and one appointed by the Environmental Management Council, two voting members from the Legislature (one member from the majority party and one member from the minority party, both members appointed by the President and confirmed by the Legislature) and five voting ex officio members: the Assistant County Executive, the Director of Public Safety, the ~~Engineering Operations Manager~~ Chief of Engineering and Facilities Management, the Deputy County Executive and the Director of ~~Management and Budget~~ Finance. The eight citizen members shall serve two-year terms; vacancies occurring among the citizen members shall be filled by the appointing bodies within 30 days for the remainder of the unexpired term. The eight members shall be residents of the County selected for their interest, experience and expertise in areas of planning concern and shall be selected to reflect the general socioeconomic composition of the County population. At least one of the three citizen members appointed by the County Legislature shall be a resident of the City of Rochester, and at least one of the four citizen members appointed by the County Executive shall be a member of the Planning Commission of the City of Rochester. The two Legislature members shall serve at the pleasure of the Legislature.

[Amended 6-28-1988 by L.L. No. 4-1988; 3-16-1993 by L.L. No. 2-1993, approved 4-8-1993; 9-10-1996 by L.L. No. 4-1996, approved 9-30-1996; 10-8-1996 by L.L. No. 7-1996, approved 10-28-1996]

B. Procedures. The Director of Planning and Development, ~~or his or her designee~~, shall serve as Secretary of the Board. The Chairperson of the Planning Board shall be selected by the Board from its citizen members and shall serve a one-year term. The voting ex officio members may designate alternates to represent them at meetings of the Board. Such alternates, who shall be designated in advance by written notice to the Board Chairperson, shall be entitled to vote in the absence of the voting ex officio members whom they represent. Alternates shall have the right to vote at not more than six meetings of the Board in each calendar year. Unless otherwise provided by law, any eight voting members of the Planning Board shall constitute a quorum at any meeting duly held at a time fixed by law, by any bylaw duly adopted by the Board, or on reasonable notice. A majority consisting of at least eight affirmative votes shall be required for Board approval of any matter. The members of the Planning Board shall receive no compensation for their services as members thereof but may be reimbursed for reasonable and necessary expenses incurred in the performance of their duties within appropriations made available therefor. The Planning Board may adopt, by a majority vote of its total membership, such additional rules and procedures as are necessary for the efficient and orderly conduct of its business.

[Amended 3-16-1993 by L.L. No. 2-1993, approved 4-8-1993; amended 10-8-1996 by

L.L. No. 7-1996, approved 10-28-1996]

C. Powers and duties. The Planning Board shall have the following powers and duties:

(1) As set forth in § C4-10 of this Charter and § A7-1 of the Administrative Code, to review the capital improvement program prepared by the Department of Planning and Development and guidelines for the preparation thereof, to make written recommendations to the County Executive and the County Legislature on all capital projects contained in the program and on the priority of capital projects contained in the first year of the program and to review and make written recommendations on any capital project additions to the capital improvement program or capital budget. [Amended 6-9-1992 by L.L. No. 5-1992, approved 7-2-1992]

(2) As set forth in ~~§§ A10-3 and A10-4 Article X~~ §§ A10-3 and A10-4 of the Administrative Code, to review the Comprehensive Development Plan and to submit its recommendations thereon to the County Legislature and to approve any proposed amendments to said plan prior to action being taken on such amendments by the County Legislature.

~~(3) As set forth in §§ A10-2 and A11-1 of the Administrative Code, to review procedural guidelines for the coordination and preparation of the Comprehensive Development Plan and annual planning program.~~

(3) As set forth in §§ A10-2 and A11-1 of the Administrative Code, to review procedural guidelines for the coordination and preparation of the Comprehensive Development Plan and annual planning program.

~~(4) To formulate or review County policies and standards for inclusion in the Comprehensive Development Plan and to recommend such policies and standards to the County Legislature.~~

(4) To formulate or review County policies and standards for inclusion in the Comprehensive Development Plan and to recommend such policies and standards to the County Legislature.

~~(5) To recommend amendments of the Comprehensive Development Plan and annual planning program to the County Legislature.~~

(5) To recommend amendments of the Comprehensive Development Plan and annual planning program to the County Legislature.

~~(6) (3) (6)~~ (6) To hear appeals from decisions by the Director of Planning, as set forth in § C5-5 of this Article.

~~(7) As set forth in § A9-2A and B of the Administrative Code, to develop and promulgate minimum qualifications of professional and administrative experience and education for the appointment of the Director of Planning and Development and to make recommendations to the County Executive of one or more persons whom it deems qualified for appointment to said office. [Amended 6-9-1992 by L.L. No. 5-1992, approved 7-2-1992]~~

(7) As set forth in § A9-2A and B of the Administrative Code, to develop and promulgate minimum qualifications of professional and administrative experience and education for the appointment of the Director of Planning and Development and to make recommendations to the County Executive of one or more persons whom it deems qualified for appointment to said office. [Amended 6-9-1992 by L.L. No. 5-1992, approved 7-2-1992]

Added language is underlined
Deleted language is ~~stricken~~

(Legislators Andrews, Bauroth, Haney, Kaleh, J. Lightfoot, Morelle, Jr., Rivera and Wilcox Voted in the Positive)

Intro. 274
M. 59
Withdrawn

Haney/Wilcox (*Amendment 11*)
Motion to Amend Intro. No. 232 of 2014 as follows:

1. Replace all references to the “Department of Human and Health Services” with the “Department of Human Services”

Added language is underlined
Deleted language is ~~stricken~~

Intro. 275
M. 60
8-18 F

Bauroth/Andrews (*Amendment 12*)
Motion to Amend Intro. No. 232 of 2014 as follows:

1. The proposed operating budget, which shall contain all estimated expenditures and revenues for the fiscal year for operating purposes, payments due for debt service and that portion of expenditures for capital projects to be funded from current revenues. The proposed operating budget shall also contain the basis for estimates of yields of existing and authorized revenue sources. ~~The proposed operating budget shall also contain the basis for estimates of yields of existing and authorized revenue sources.~~

Added language is underlined
Deleted language is ~~stricken~~

(Legislators Andrews, Bauroth, Haney, Kaleh, J. Lightfoot, Morelle, Jr., Rivera and Wilcox Voted in the Positive)

Intro. 232
Local Law TBA
21-5

Main Motion
(As Amended by M. 57 of 2014)
(Legislators Andrews, Haney, Morelle, Jr., Rivera and Wilcox Voted in the Negative.)

MOTIONS, RESOLUTIONS AND NOTICES

Intro. 276
M. 61
26-0

Tucciarello/Andrews
Motion to Move Agenda Items 3-29

3. Rockow & Tucciarello
Intro. 277
Res. 215
26-0
14-0165
Confirming Appointments to County of Monroe Industrial Development Agency
4. Rockow & Tucciarello
Intro. 278
Res. 216
26-0
14-0166
Confirming Reappointment to Board of Trustees of Monroe County Library System

5. Howland & Yolevich
Intro. 279
Res. 217
26-0
14-0172 Approving Submission of 2014 Annual Action Plan for Housing and Community Development in Suburban Monroe County and Grant Submission to U.S. Department of Housing and Urban Development
Planning and Economic Development; May 19, 2014 – CV: 4-0
Ways and Means Committee; May 21, 2014 – CV: 11-0
6. Howland, Ancello, Marianetti, Boyce, Valerio, Colby, Micciche & Yolevich
Intro. 280
14-0173 Adopting 2015-2020 Capital Improvement Program
Planning and Economic Development; May 19, 2014 – CV: 4-0
Public Safety Committee; May 19, 2014 – CV: 7-0
Intergovernmental Relations Committee; May 19, 2014 – CV: 4-0
Transportation Committee; May 20, 2014 – CV: 5-0
Recreation and Education Committee; May 20, 2014 – CV: 4-0
Human Services Committee; May 20, 2014 – CV: 7-0
Environment and Public Works Committee; May 21, 2014 – CV: 6-0
Ways and Means Committee; May 21, 2014 – CV: 11-0
(For Introductory Purposes Only)
7. Howland, Ancello, Marianetti, Boyce, Valerio, Colby, Micciche & Yolevich
Intro. 281
M. 62
26-0
14-0173 Providing that Resolution (Intro. No. ___ of 2014), “Adopting 2015-2020 Capital Improvement Program,” Be Tabled
Planning and Economic Development; May 19, 2014 – CV: 4-0
Public Safety Committee; May 19, 2014 – CV: 7-0
Intergovernmental Relations Committee; May 19, 2014 – CV: 4-0
Transportation Committee; May 20, 2014 – CV: 5-0
Recreation and Education Committee; May 20, 2014 – CV: 4-0
Human Services Committee; May 20, 2014 – CV: 7-0
Environment and Public Works Committee; May 21, 2014 – CV: 6-0
Ways and Means Committee; May 21, 2014 – CV: 11-0
8. Howland, Ancello, Marianetti, Boyce, Valerio, Colby, Micciche & Yolevich
Intro. 282
Res. 218
26-0
14-0173 Fixing Public Hearing for Adoption of 2015-2020 Capital Improvement Program
Planning and Economic Development; May 19, 2014 – CV: 4-0
Public Safety Committee; May 19, 2014 – CV: 7-0
Intergovernmental Relations Committee; May 19, 2014 – CV: 4-0
Transportation Committee; May 20, 2014 – CV: 5-0
Recreation and Education Committee; May 20, 2014 – CV: 4-0
Human Services Committee; May 20, 2014 – CV: 7-0
Environment and Public Works Committee; May 21, 2014 – CV: 6-0
Ways and Means Committee; May 21, 2014 – CV: 11-0
(Public Hearing is scheduled for Tuesday, July 8, 2014 at 6:15p.m.)
9. Ancello & Yolevich
Intro. 283
Res. 219
26-0
14-0174 Accepting Grant from New York State Office of Indigent Legal Services for Offices of Public Defender and Conflict Defender for Caseload Reduction Program
Public Safety Committee; May 19, 2014 – CV: 7-0
Ways and Means Committee; May 21, 2014 – CV: 11-0
10. Ancello & Yolevich
Intro. 284
Res. 220
26-0
14-0175 Accepting Grant from New York State Division of Criminal Justice Services for Crimes Against Revenue Prosecution Program
Public Safety Committee; May 19, 2014 – CV: 7-0
Ways and Means Committee; May 21, 2014 – CV: 11-0
11. Ancello & Yolevich
Intro. 285
Res. 221
26-0
14-0176 Amending Resolution 281 of 2011 to Authorize Contract with National Association of State Boating Law Administrators for Small Vessel Maritime RND Operations for Law Enforcement Course
Public Safety Committee; May 19, 2014 – CV: 7-0
Ways and Means Committee; May 21, 2014 – CV: 11-0

12. Ancello & Yolevich
Intro. 286
Res. 222
26-0
14-0177 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; May 19, 2014 – CV: 7-0
Ways and Means Committee; May 21, 2014 – CV: 11-0
13. Ancello & Yolevich
Intro. 287
Res. 223
26-0
14-0178 Authorizing Contract with American Diabetes Association for Traffic and Crowd Control Provided by Monroe County Sheriff's Office for 2014 Tour de Cure
Public Safety Committee; May 19, 2014 – CV: 7-0
Ways and Means Committee; May 21, 2014 – CV: 11-0
14. Ancello & Yolevich
Intro. 288
Res. 224
26-0
14-0179 Authorizing Contract with JPMorgan Chase & Co. for Traffic and Crowd Control Provided by Monroe County Sheriff's Office for 2014 J.P. Morgan Chase Corporate Challenge
Public Safety Committee; May 19, 2014 – CV: 7-0
Ways and Means Committee; May 21, 2014 – CV: 11-0
15. Boyce & Yolevich
Intro. 289
Res. 225
26-0
14-0180 Authorizing Acquisition of Interests in Real Property for Pinnacle Road Highway Rehabilitation Project from Rush-Henrietta Town Line to Red Lion Road in Town of Henrietta
Transportation Committee; May 20, 2014 – CV: 5-0
Ways and Means Committee; May 21, 2014 – CV: 11-0
16. Boyce & Yolevich
Intro. 290
Res. 226
26-0
14-0181 Authorizing Acquisition of Interests in Real Property for Erie Station Road Reconstruction Project in Town of Henrietta
Transportation Committee; May 20, 2014 – CV: 5-0
Ways and Means Committee; May 21, 2014 – CV: 11-0
17. Boyce & Yolevich
Intro. 291
Res. 227
26-0
14-0182 Authorizing Acquisition of Interest in Real Property for Mendon Center Road Culvert Project in Town of Pittsford
Transportation Committee; May 20, 2014 – CV: 5-0
Ways and Means Committee; May 21, 2014 – CV: 11-0
18. Boyce & Yolevich
Intro. 292
Res. 228
26-0
14-0183 Authorizing Acquisition of Interest in Real Property for Installation and Maintenance of Traffic Signal Equipment at Intersection of Mt. Hope Avenue and Celebration Drive in City of Rochester
Transportation Committee; May 20, 2014 – CV: 5-0
Ways and Means Committee; May 21, 2014 – CV: 11-0
19. Boyce & Yolevich
Intro. 293
Res. 229
26-0
14-0184 Authorizing Acquisition of Interests in Real Property for Installation and Maintenance of Traffic Signal Equipment at Intersection of Mt. Read Boulevard and Wildwood Drive in Town of Greece.
Transportation Committee; May 20, 2014 – CV: 5-0
Ways and Means Committee; May 21, 2014 – CV: 11-0
20. Boyce & Yolevich
Intro. 294
Res. 230
26-0
14-0185 Authorizing Acquisition of Interest in Real Property for Installation and Maintenance of Traffic Signal Equipment at Paul Road in Town of Chili
Transportation Committee; May 20, 2014 – CV: 5-0
Ways and Means Committee; May 21, 2014 – CV: 11-0
21. Marianetti, Valerio & Yolevich
Intro. 295
Res. 231
26-0
14-0186 Authorizing Intermunicipal Agreement with and Accepting Gift from Town of Brighton for Construction of Trail Improvements in Highland Park
Intergovernmental Relations Committee; May 19, 2014 – CV: 4-0
Recreation and Education Committee; May 20, 2014 – CV: 4-0
Ways and Means Committee; May 21, 2014 – CV: 11-0

22. Colby, Marianetti & Yolevich
Intro. 296
Res. 232
26-0
- 14-0187 Accepting Grant from New York State Department of Health; Authorizing Intermunicipal Agreement with City of Rochester and Contracts with Schneider Laboratories Global, Inc., Cornell University and Catholic Family Center for Childhood Lead Primary Prevention Program
Human Services Committee; May 20, 2014 – CV: 7-0
Intergovernmental Relations Committee; May 19, 2014 – CV: 4-0
Ways and Means Committee; May 21, 2014 – CV: 11-0
23. Colby & Yolevich
Intro. 297
Res. 233
26-0
- 14-0188 Accepting Grant from New York State Office of Children and Family Services for Child Care Facilitated Enrollment Program
Human Services Committee; May 20, 2014 – CV: 7-0
Ways and Means Committee; May 21, 2014 – CV: 11-0
24. Colby & Yolevich
Intro. 298
Res. 234
26-0
- 14-0189 Accepting Grant from New York State Office of Temporary and Disability Assistance for SNAP Nutrition Education Program
Human Services Committee; May 20, 2014 – CV: 7-0
Ways and Means Committee; May 21, 2014 – CV: 11-0
25. Colby & Yolevich
Intro. 299
Res. 235
26-0
- 14-0190 Amending Resolution 87 of 2014 to Accept Additional Funding from New York State Office of Temporary and Disability Assistance for 2013-2014 Home Energy Assistance Program
Human Services Committee; May 20, 2014 – CV: 7-0
Ways and Means Committee; May 21, 2014 – CV: 11-0
26. Marianetti, Micciche & Yolevich
Intro. 300
Res. 236
26-0
- 14-0191 Authorizing Intermunicipal Agreement with Monroe 2-Orleans Board of Cooperative Educational Services to Provide Technical Skills Training Programs
Intergovernmental Relations Committee; May 19, 2014 – CV: 4-0
Environment and Public Works Committee; May 21, 2014 – CV: 6-0
Ways and Means Committee; May 21, 2014 – CV: 11-0
27. Micciche & Yolevich
Intro. 301
Res. 237
26-0
- 14-0193 Authorizing Lease Agreement with Monroe County Soil and Water Conservation District and Authorizing Contract for Stormwater Management Consulting Services
Environment and Public Works Committee; May 21, 2014 – CV: 6-0
Ways and Means Committee; May 21, 2014 – CV: 11-0
28. Rockow & Tucciarello
Intro. 302
Res. 238
26-0
- 14-0195 Confirming Appointments and Reappointments to Monroe County Recycling Advisory Committee
Agenda/Charter Committee; May 21, 2014 – CV: 4-0
29. Yolevich & Rockow
Intro. 303
Res. 239
26-0
- 14-0196 Directing Correction, Cancellation and Levy of Certain Monroe County Taxes in Town of Penfield.
Ways and Means Committee; May 21, 2014 – CV: 11-0
30. J. Lightfoot, Yolevich & Micciche
Intro. 304
Res. 240
26-0
- 14-0168 Amend Resolution 69 of 1989 to Revise the M/WBE Policy Statement for Monroe County Capital Projects
Ways and Means Committee; May 21, 2014 – CV: 11-0
Environment and Public Works Committee; May 21, 2014 – CV: 6-0

Matters of Urgency Continued

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| 31. Yolevich
Rockow
Intro. 305
Res. 241
26-0 | 14-0197 | Mortgage Tax Distribution |
| 34. Yolevich
Rockow
Intro. 306
Res. 242
26-0 | 14-0200 | Waiver of Allocation of Qualified Energy Conservation Bonds in Amount of \$5,479,133 From New York State Energy Research and Development Authority and Designation of Allocation to Wayne County, New York for its Public Buildings Capital Improvement Projects |

UNFINISHED BUSINESS

None

Upon Motion by Legislator Tucciarello, the Legislature adjourned at 9:11 p.m. until **Tuesday, July 8, 2014 at 6:00 P.M.**

JAMIE L. SLOCUM
Clerk of the Legislature