

NINTH DAY

TUESDAY, August 8, 2017

Legislature met pursuant to adjournment.

President Anthony J. Daniele in the Chair.

ROLL CALL

Present – Legislators Allkofer, Ancello, Bauroth, Brew, Brown, Carbone, Conley, Daniele, Delehanty, DiFlorio, Drawe, Felder, Harris, Hebert, Howland, Kaleh, Marianetti, Micciche, Morelle, Jr., Muoio, Rockow, Taylor, Terp, Wilcox, Zale – 25

Absent – Legislators Boyce, Flagler-Mitchell, Lightfoot, Sheppard – 4

Note: Legislator Flagler-Mitchell entered the Chambers during the Public Forum and was present for the remainder of the meeting.

The meeting formally opened. A Moment of Silence was observed at the request of Legislator Joshua Bauroth. The Pledge of Allegiance to the Flag was led by Legislator Joseph D. Morelle, Jr.

IN MEMORIAM

30. Marianetti & Kaleh Intro. 311 Res. 264 25-0	17-0229	Expressing Regret of the Monroe County Legislature on the Recent Passing of Former Monroe County Legislator and Irondequoit Town Supervisor Frederick W. Lapple Matter of Urgency
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APPROVAL OF MINUTES

Without objection, the Journal of Day 8, July 11, 2017 was approved as submitted.

PETITIONS AND COMMUNICATIONS

None

President Daniele recognized the recent passing of Dawn Seymour and spoke of her service to our Country.

PROCLAMATIONS

None

RECESS

President Daniele recessed the meeting to allow for two Public Hearings entitled...

“Authorizing Lease by Negotiation with the Town of Greece and Any Other Governmental Entity for Data Storage Space at Greater Rochester International Airport, 400 Freight Building Way, Room 109A, City of Rochester, New York”
No speakers addressed the Legislature and the Public Hearing concluded at 6:09 P.M.

“Repeal of Local Law No. 3 of 2014 Establishment of County of Monroe Wireless Surcharge, and Enactment of Local Law (Intro. No. 308 of 2017), Entitled Imposing the Wireless Communications Surcharge Pursuant to Authority of Tax Law Section 186-G”
No speakers addressed the Legislature and the Public Hearing concluded at 6:10 P.M.

FORMAL COMMITTEE REPORTS

None

PUBLIC FORUM

An Open Forum was conducted to allow speakers to address the Legislature. There were eleven speakers and the Open Forum concluded at 6:39 P.M.

Note: Legislator Flagler-Mitchell entered the Chambers during the Public Forum and was present for the remainder of the meeting.

CONSIDERATION OF LOCAL LAWS

1. Conley & Drawe
Intro. 312
M. 44
26-0
17-0196.LL Providing that Local Law (Intro. No. 272 of 2017), Entitled “Authorizing Lease by Negotiation with the Town of Greece and Any Other Governmental Entity for Data Storage Space at Greater Rochester International Airport, 400 Freight Building Way, Room 109A, City of Rochester, New York,” Be Lifted from the Table

2. Conley & Drawe
Intro. 313
M. 45
26-0
Intro. 272
Local Law TBA
26-0
17-0196.LL Providing that Local Law (Intro. No. 272 of 2017), Entitled “Authorizing Lease by Negotiation with the Town of Greece and Any Other Governmental Entity for Data Storage Space at Greater Rochester International Airport, 400 Freight Building Way, Room 109A, City of Rochester, New York,” Be Adopted

Main Motion

3. Micciche & Drawe
Intro. 314
M. 46
26-0
17-0208.LL Providing that Repeal of Local Law No. 3 of 2014 “Establishment of County of Monroe Wireless Surcharge” and Enactment of Local Law Entitled “Imposing the Wireless Communications Surcharge Pursuant to Authority of Tax Law Section 186-G,” Be Lifted from the Table

4. Micciche & Drawe
Intro. 315
M. 47
26-0
17-0208.LL Providing that Repeal of Local Law No. 3 of 2014 “Establishment of County of Monroe Wireless Surcharge” and Enactment of Local Law Entitled “Imposing the Wireless Communications Surcharge Pursuant to Authority of Tax Law Section 186-G,” Be Adopted

- Intro. 308
Local Law TBA
26-0
- Main Motion
5. Conley & Micciche
Intro. 316
- 17-0220.LL Enacting Local Law Entitled “Authorizing Lease by Negotiation with the United States Department of Justice, Federal Bureau of Investigation, for Use of Space at the Monroe County Crime Lab, 85 West Broad Street, Room 113, City of Rochester, New York”
Agenda/Charter Committee; July 24, 2017 – CV: 5-0
Public Safety Committee; July 24, 2017 – CV: 9-0
(For Introductory Purposes Only)
6. Conley & Micciche
Intro. 317
M. 48
26-0
- 17-0220.LL Providing that Local Law (Intro. No. 316 of 2017), Entitled “Authorizing Lease by Negotiation with the United States Department of Justice, Federal Bureau of Investigation, for Use of Space at the Monroe County Crime Lab, 85 West Broad Street, Room 113, City of Rochester, New York,” Be Tabled
7. Conley & Micciche
Intro. 318
Res. 265
26-0
- 17-0220.LL Fixing a Public Hearing on Local Law (Intro. No. 316 of 2017), Entitled “Authorizing Lease by Negotiation with the United States Department of Justice, Federal Bureau of Investigation, for Use of Space at the Monroe County Crime Lab, 85 West Broad Street, Room 113, City of Rochester, New York”
(Public Hearing is scheduled for Tuesday, September 12, 2017 at 6:15 p.m.)
8. Conley & Drawe
Intro. 319
- 17-0221.LL Enacting Local Law Authorizing Sale to Tony Y. Kirik for Surplus Property Located 1285 East Henrietta Road, Town of Brighton, New York
Agenda/Charter Committee; July 24, 2017 – CV: 5-0
Ways and Means Committee; July 25, 2017 – CV: 11-0
(For Introductory Purposes Only)
9. Conley & Drawe
Intro. 320
M. 49
26-0
- 17-0221.LL Providing that Local Law (Intro. No. 319 of 2017), Entitled “Enacting Local Law Authorizing Sale by Auction to Tony Y. Kirik, for Surplus Property Located at 1285 East Henrietta Road, Town of Brighton, New York,” Be Tabled
10. Conley & Drawe
Intro. 321
Res. 266
26-0
- 17-0221.LL Fixing a Public Hearing on Local Law (Intro. No. 319 of 2017), Entitled “Enacting Local Law Authorizing Sale by Auction to Tony Y. Kirik, for Surplus Property Located at 1285 East Henrietta Road, Town of Brighton, New York”
(Public Hearing is scheduled for Tuesday, September 12, 2017 at 6:16 p.m.)

MOTIONS, RESOLUTIONS AND NOTICES

11. DiFlorio & Brew
Intro. 322
M. 50
26-0
- 17-0183 Providing that Resolution (Intro. No. 278 of 2017), Entitled “Authorizing Addition to Eastern Monroe County Agricultural District,” Be lifted from the Table
12. DiFlorio & Brew
Intro. 323
M. 51
26-0
- 17-0183 Providing that Resolution (Intro. No. 278 of 2017), Entitled “Authorizing Addition to Eastern Monroe County Agricultural District,” Be Adopted

		Intro. 278 Res. 267 26-0	Main Motion
13. Terp & Drawe Intro. 324 M. 52 26-0	17-0207		Providing that Resolution (Intro. No. 305 of 2017) Entitled "Approving Monroe Community College's 2017-2018 Operating Budget," Be Lifted from the Table
14. Terp & Drawe Intro. 325 M. 53 26-0	17-0207		Providing that Resolution (Intro. No. 305 of 2017), Entitled "Approving Monroe Community College's 2017-2018 Operating Budget," Be Adopted
		Intro. 305 Res. 268 26-0	Main Motion
15. Conley & Taylor Intro. 326 Res. 269 26-0	17-0211		Confirming Appointment and Reappointments to Monroe County Recycling Advisory Committee Agenda/Charter Committee; July 24, 2017 – CV: 5-0
16. Micciche & Drawe Intro. 327 Res. 270 26-0	17-0212		Accepting Grant from Institute for Police, Mental Health & Community Collaboration for Development of Crisis Intervention Team in Monroe County Public Safety Committee; July 24, 2017 – CV: 9-0 Ways and Means Committee; July 25, 2017 – CV: 11-0
17. Micciche & Drawe Intro. 328 Res. 271 26-0	17-0213		Accepting Grant from United States Department of Justice, United States Attorney, for Organized Crime Drug Enforcement Task Forces State or Local Overtime and Authorized Expense/Strategic Initiative Program Public Safety Committee; July 24, 2017 – CV: 9-0 Ways and Means Committee; July 25, 2017 – CV: 11-0
18. Zale, Micciche & Drawe Intro. 329 Res. 272 26-0	17-0214		Authorizing Intermunicipal Agreement with Rush-Henrietta Central School District for Purchase of Fuel for Vehicles of Monroe County Sheriff's Office Intergovernmental Relations Committee; July 25, 2017 – CV: 5-0 Public Safety Committee; July 24, 2017 – CV: 9-0 Ways and Means Committee; July 25, 2017 – CV: 11-0
19. Howland & Drawe Intro. 330 Res. 273 26-0	17-0215		Authorizing Term Contract with EFPR Group, CPA's, PLLC for Professional Auditing Services Relating to Department of Transportation Consultant Agreements Transportation Committee; July 25, 2017 – CV: 6-0 Ways and Means Committee; July 25, 2017 – CV: 11-0
20. Taylor & Drawe Intro. 331 Res. 274 26-0	17-0216		Amending Resolution 215 of 2015 to Accept Additional Funding from New York State Department of Health for Drinking Water Enhancement Program Human Services Committee; July 25, 2017 – CV: 8-0 Ways and Means Committee; July 25, 2017 – CV: 11-0

(Note: Legislator Micciche left the Chambers and did not vote on the following referrals.)

21. Taylor & Drawe
Intro. 332
Res. 275
25-0
17-0217 Authorizing Contract with Catholic Diocese of Rochester to Provide Religious Services for Residents of Monroe Community Hospital
Human Services Committee; July 25, 2017 – CV: 6-2
Ways and Means Committee; July 25, 2017 – CV: 11-0
22. Taylor & Drawe
Intro. 333
Res. 276
25-0
17-0218 Accepting Grant from New York State Office for the Aging to Pilot Aging Mastery Program
Human Services Committee; July 25, 2017 – CV: 8-0
Ways and Means Committee; July 25, 2017 – CV: 10-1
23. Drawe & Hebert
Intro. 334
Res. 277
25-0
17-0219 Authorizing Contract with Roy Teitsworth, Inc. for Provision of Auctioneer Services
Ways and Means Committee; July 25, 2017 – CV: 11-0
24. Drawe & Hebert
Intro. 335
Res. 278
25-0
17-0222 Authorizing Sale of County Owned Tax Foreclosure Property Located at 8470 Ridge Road in Town of Clarkson
Ways and Means Committee; July 25, 2017 – CV: 11-0
25. Drawe & Hebert
Intro. 336
Res. 279
25-0
17-0223 Authorizing Sale of County Owned Tax Foreclosure Property Located in Monroe County
Ways and Means Committee; July 25, 2017 – CV: 11-0
26. Conley & Taylor
Intro. 337
Res. 280
25-0
17-0224 Confirming Appointment to Monroe County Board of Health
Agenda/Charter Committee; July 24, 2017 – CV: 5-0
Human Services Committee; July 25, 2017 – CV: 8-0
27. Drawe & Hebert
Intro. 338
Res. 281
25-0
17-0225 Extension of Additional One Percent Tax on Sales and Uses of Tangible Personal Property and of Certain Services, and on Occupancy of Hotel Rooms and Amusement Charges, Pursuant to Article 29 of the Tax Law of the State of New York; Amending Resolution No. 265 of 1965, as Last Amended by Resolution No. 227 of 2015
Ways and Means Committee; July 25, 2017 – CV: 11-0
28. Brew & Drawe
Intro. 339
Res. 282
25-0
17-0226 Amending Resolution 153 of 2017 to Incorporate by Reference and Adopt a Resolution Required by the New York State Comptroller for the Grant Agreement with the State of New York to Accept Financial Assistance for the Upstate Airport Economic Development and Revitalization (Airport Revitalization and Redevelopment) Project at the Greater Rochester International Airport
Environment and Public Works Committee; July 24, 2017 – CV: 6-0
Ways and Means Committee; July 25, 2017 – CV: 11-0
29. Drawe & Hebert
Intro. 340
Res. 283
25-0
17-0227 Amending List of Delinquent Taxes and Properties Attached with Resolution 146 of 2017 to Remove Three Properties from the Proposed *In Rem* Tax Foreclosure Action No. 142 City of Rochester and Towns of Brighton, et al
Ways and Means Committee; July 25, 2017 – CV: 11-0

Matters of Urgency

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| 31. Marianetti &
Rockow
Intro. 341
Local Law TBA
24-1 | 17-0230.LL | A Local Law Relating to Lake Ontario and Connected Waterways Assessment Relief Act in Monroe County
Matter of Urgency

<i>(Legislator Wilcox voted in the Negative.)</i> |
| 32. Terp &
Drawe
Intro. 342
Res. 284
25-0 | 17-0231 | Authorizing Conveyance of Permanent Easement on Monroe County Controlled Property, at Seneca Park, to Rochester Gas and Electric Corporation for Underground Transmission and/or Distribution of Electricity and all Necessary Appurtenances and Fixtures
Matter of Urgency |
| 33. Zale &
Drawe
Intro. 343
Res. 285
25-0 | 17-0232 | Authorizing Intermunicipal Agreement with City of Rochester for Limited Access to Monroe County Electronic Pistol Permit Records System
Matter of Urgency |

UNFINISHED BUSINESS

None

Upon Motion by Legislator Marianetti, the Legislature Adjourned at 7:16 P.M. until **Tuesday, September 12, 2017 at 6:00 P.M.**

DIANA M. CHRISTODARO
Clerk of the Legislature