THIRD DAY

TUESDAY, FEBRUARY 2, 2010

Legislature met pursuant to adjournment.

President Jeffrey R. Adair in the Chair.

ROLL CALL


Absent — Legislator Gumina – 1

Meeting formally opened. President Adair requested a moment of silent prayer.

IN MEMORIAM

38. Quatro & 10-0067 Expressing Regret By the Monroe County Legislature On the Recent Passing Bronson Of The Honorable Joseph Esposito - former Monroe County Legislator Intro. 9 Matter Of Urgency

Presenting Colors

The Colors of Our Nation were presented by the Buffalo Soldiers. The Pledge of Allegiance to the Flag was led by Legislator Glenn J. Gamble.

RETIRING OF THE COLORS

The Colors of Our Nation were retired by the Buffalo Soldiers.

PROCLAMATION

By the President of the Legislature – Jeffrey R. Adair

Recognized Jointly with Legislator Glenn J. Gamble “Veterans of Foreign Wars Post 9251” for their steadfast resolve to ensure that the Rochester community never forgets the incredible contributions of the Buffalo Soldiers. Read and Filed.

APPROVAL OF MINUTES

Without objection, the journal of the session of Day 2 of 2010, January 12, 2010 was approved as submitted.

PETITIONS AND COMMUNICATIONS
PROCLAMATIONS

By the President of the Legislature — Jeffrey R. Adair

Recognized Jointly with County Clerk Cheryl Dinolfo and Legislators Jeffrey L McCann and Richard Yolevich “Mary Pettinaro and Judy Rockafellow” for their efforts to raise awareness about the dangers of pancreatic cancer.
Read and Filed.

Recognized Jointly with Legislators Michael G. Barker and Ciaran T. Hanna “Dave Martens” for being inducted into the National Interscholastic Athletic Administrators Association Hall of Fame.
Read and Filed

Recognized Jointly with Legislators Richard Yolevich and Michael G. Barker “Chuck Partridge” on his 300th win as head coach of Hilton High School’s Varsity Wrestling Team.
Read and Filed.

Recognized Jointly with Legislator Robert J. Colby “Kim Zuber” in honor of his retirement from the Presidency of the Monroe County Farm Bureau.
Read and Filed

Recognized Jointly with Legislator Calvin Lee, Jr. “Old Timers Club” for their hard work and dedication to community service.
Read and Filed.

Recognized Jointly with Legislator Harry B. Bronson “Historians Tim O’Connell and Jean Czerkas and Homeowner Sherri Dukes” for helping to preserve a historic piece of our history.
Read and Filed.

Recognized Jointly with Legislators Willie J. Lightfoot and Calvin Lee, Jr. “Frederick Douglass Resource Center” for their hard work and dedication to the legacy of Frederick Douglass.
Read and Filed.

Recognized Jointly with Legislator C. Stephen Eckel “Franklin Montessori Super X Squad” for their shining examples of innovation, teamwork and achievement.
Read and Filed

Recognized Jointly with Legislator Calvin Lee, Jr. “Martin Luther King, Jr. Greater Rochester Commission”
Read and Filed
FORMAL COMMITTEE REPORTS

NONE

PUBLIC FORUM

An Open Forum was conducted to allow speakers to address the Legislature. Six speakers addressed the Legislature on various subjects and the Open Forum concluded at 7:02 P.M.

RECESS

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

RECONVENING LEGISLATURE

President Adair reconvened the recessed meeting of February 2, 2010 and proceeded under the Usual Order of Business.

MOTIONS, RESOLUTIONS AND NOTICES

Intro. 10 Quatro/Bronson
M. 2 Move Agenda as a Whole Except for Item Nos. 1 and 37.
28-0

1. Yolevich & Howland
   Intro. 11 Res. 5
   28-1
   10-0005 Appointment To Rochester-Genesee Regional Transportation Authority
   (Legislator Haney voted in the negative)

2. Hanna & Daniele
   Intro. 12 Res. 6
   28-0
   10-0007 Accepting Grant From United States Department Of Justice, Bureau of Justice Assistance, For Office Of Sheriff, District Attorney’s Office, And Department Of Public Safety, Office Of Probation and Community Corrections, For Bulletproof Vest Partnership Grant Program
   Public Safety Committee; January 25, 2010 – CV: 8-0
   Ways and Means Committee; January 27, 2010 – CV: 10-0

3. Hanna & Daniele
   Intro. 13 Res. 7
   28-0
   10-0008 Accepting Grant From New York State Office Of Homeland Security For Operation Stonegarden Program
   Public Safety Committee; January 25, 2010– CV: 8-0
   Ways and Means Committee; January 27, 2010 – CV: 10-0

4. Hanna & Daniele
   Intro. 14 Res. 8
   28-0
   10-0009 Accepting Grant From United States Department Of Justice, United States Marshals Service Western District Of New York, For USMS NY/NJ Regional Fugitive Task Force – Rochester Division
   Public Safety Committee; January 25, 2010 – CV: 8-0
   Ways and Means Committee; January 27, 2010 – CV: 10-0

5. Hanna & Daniele
   Intro. 15 Res. 9
   28-0
   10-0010 Accepting Grant From New York State Division Of Criminal Justice Services For Crimes Against Revenue Prosecution Program
   Public Safety Committee; January 25, 2010 – CV: 8-0
   Ways and Means Committee; January 27, 2010 – CV: 10-0
6. Hanna & Daniele
   Intro. 16
   Res. 10
   28-0
   10-0011 Accepting Grant From New York State Division of Criminal Justice Services For
   Drug Law Reform Monitoring Program
   Public Safety Committee; January 25, 2010 – CV: 8-0
   Ways and Means Committee; January 27, 2010 – CV: 10-0

7. Hanna & Daniele
   Intro. 17
   Res. 11
   28-0
   10-0012 Authorizing Federal Equitable Sharing Agreements With United States Department Of
   Justice And United States Department Of Treasury
   Public Safety Committee; January 25, 2010 – CV: 8-0
   Ways and Means Committee; January 27, 2010 – CV: 10-0

8. Hanna & Daniele
   Intro. 18
   Res. 12
   28-0
   10-0013 Authorizing Intermunicipal Agreement With The City Of Rochester To Accept Pass
   Through Funding From United States Department Of Justice For Recovery Act – Edward
   Byrne Memorial Justice Assistance Grant Program
   Public Safety Committee; January 25, 2010 – CV: 8-0
   Ways and Means Committee; January 27, 2010 – CV: 10-0

9. Hanna & Daniele
   Intro. 19
   Res. 13
   28-0
   10-0014 Accepting Grant From New York State Division Of Criminal Justice Services For
   Stop Violence Against Women Program
   Public Safety Committee; January 25, 2010 – CV: 8-0
   Ways and Means Committee; January 27, 2010 – CV: 10-0

10. Hanna & Daniele
    Intro. 20
    Res. 14
    28-0
    10-0015 Authorizing Submission Of Alternatives To Incarceration Services Plan;
    Accepting Grant From New York State Division Of Probation And Correctional
    Alternatives For Alternatives To Incarceration Classification/Alternatives Program And
    Enhanced Drug/Alcohol Treatment Program
    Public Safety Committee; January 25, 2010 – CV: 8-0
    Ways and Means Committee; January 27, 2010 – CV: 10-0

11. Hanna & Daniele
    Intro. 21
    Res. 15
    28-0
    10-0016 Accepting Grant From New York State Governor’s Traffic Safety Committee For
    Community Traffic Safety Program
    Public Safety Committee; January 25, 2010 – CV: 8-0
    Ways and Means Committee; January 27, 2010 – CV: 10-0

12. Yolevich & Howland
    Intro. 22
    Res. 16
    28-0
    10-0017 Reappointments To Monroe County Airport Authority
    Agenda/Charter Committee; January 25, 2010 – CV: 4-0

13. Yolevich & Howland
    Intro. 23
    Res. 17
    28-0
    10-0018 Appointment To Monroe County Board Of Health
    Agenda/Charter Committee; January 25, 2010 – CV: 4-0

14. Hanna & Daniele
    Intro. 24
    Res. 18
    28-0
    10-0019 Authorizing Intermunicipal Agreements With Ten Municipalities For STOP-DWI Law
    Enforcement Program
    Public Safety Committee; January 25, 2010 – CV: 8-0
    Ways and Means Committee; January 27, 2010 – CV: 10-0

15. Antelli, Colby & Daniele
    Intro. 25
    Res. 19
    28-0
    10-0020 Authorizing Intermunicipal Agreements With Village Of Fairport And Town Of
    Perinton To Perform School Flasher Maintenance Services To School Flasher #823 Located
    On Hulburt Road In Village Of Fairport And Town Of Perinton
    Intergovernmental Relations Committee; January 26, 2010 – CV: 5-0
    Transportation Committee; January 27, 2010 – CV: 9-0
16. **Drawe & Daniele**  
**Intro. 26**  
**Res. 20**  
**Ways and Means Committee; January 27, 2010 – CV: 10-0**  
**Drawe & Daniele**  
**Authorizing Contracts With University Of Rochester, Society For The Protection & Care Of Children, Children's Institute, Inc., Coordinated Care Services, Inc., And Marty Beyer, Ph.D. For Healthy Futures For Children In Foster Care Program**  
**Human Services Committee; January 26, 2010 – CV: 6-0**  

17. **Drawe & Daniele**  
**Intro. 27**  
**Res. 21**  
**Ways and Means Committee; January 27, 2010 – CV: 10-0**  
**Drawe & Daniele**  
**Accepting Grant From New York State Division Of Criminal Justice Services For Paul Coverdell National Forensic Sciences Improvement Program (Medical Examiner’s Toxicology Laboratory)**  
**Human Services Committee; January 26, 2010 – CV: 6-0**

18. **Drawe & Daniele**  
**Intro. 28**  
**Res. 22**  
**Ways and Means Committee; January 27, 2010 – CV: 10-0**  
**Drawe & Daniele**  
**Accepting Grant From New York State Department Of Health For Public Health Campaign Program; Authorizing Contract With University Of Rochester**  
**Human Services Committee; January 26, 2010 – CV: 6-0**

19. **Drawe & Daniele**  
**Intro. 29**  
**Res. 23**  
**Ways and Means Committee; January 27, 2010 – CV: 10-0**  
**Drawe & Daniele**  
**Accepting Grant From New York State Department Of Health For Immunization Action Plan Program; Authorizing Contract With University Of Rochester**  
**Human Services Committee; January 26, 2010 – CV: 6-0**

20. **Drawe & Daniele**  
**Intro. 30**  
**Res. 24**  
**Ways and Means Committee; January 27, 2010 – CV: 10-0**  
**Drawe & Daniele**  
**Accepting Grant From New York State Department Of Health For Childhood Lead Poisoning Prevention Program**  
**Human Services Committee; January 26, 2010 – CV: 6-0**

21. **Drawe & Daniele**  
**Intro. 31**  
**Res. 25**  
**Ways and Means Committee; January 27, 2010 – CV: 10-0**  
**Drawe & Daniele**  
**Accepting Grant From New York State Department Of Health For Healthy Neighborhoods Program**  
**Human Services Committee; January 26, 2010 – CV: 6-0**

22. **Drawe & Daniele**  
**Intro. 32**  
**Res. 26**  
**Ways and Means Committee; January 27, 2010 – CV: 10-0**  
**Drawe & Daniele**  
**Accepting Grant From New York State Governor’s Traffic Safety Committee For Child Passenger Safety Program (Department Of Public Health)**  
**Human Services Committee; January 26, 2010 – CV: 6-0**

23. **Drawe & Daniele**  
**Intro. 33**  
**Ways and Means Committee; January 27, 2010 – CV: 10-0**  
**Drawe & Daniele**  
**Accepting Grant From New York State Department Of Health For Healthy Mom – Healthy Baby Program**  
**Human Services Committee; January 26, 2010 – CV: 6-0**

24. **Intro. 34**  
**M. 3**  
**Ways and Means Committee; January 27, 2010 – CV: 10-0**  
**Intro. 34**  
**M. 3**  
**Motion to Amend File No. 10-0028 to read:**

**Be It Moved, that Intro. No.33 of 2010, be amended as follows:**

Section 3. The County Executive is hereby authorized to reappropriate any unencumbered balances during the grant period according to the grantor requirements and to make any necessary funding modifications within grant guidelines to meet contractual commitments. The County Executive, or her designee, is hereby authorized to execute contracts and any amendments with subcontractors as necessary to carry out the purposes of the grant in accordance with the contract with the New York State Department of Health.
Section 44. The County Executive is hereby authorized to reappropriate any unencumbered balances during the grant period according to the grantor requirements and to make any necessary funding modifications within grant guidelines to meet contractual commitments.

Section 45. Should funding of this program be modified or terminated for any reason, the County Executive is hereby authorized to terminate or modify the program and, where applicable, to terminate or abolish some or all positions funded under such program. Any termination or abolishment of positions shall be in accordance with New York State Civil Service Law and, when applicable, the terms of any labor agreement affecting such positions.

Section 46. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

File No. 10-0028

Added language is underlined
Deleted language is strucken

Intro. 33
Res. 27 (As Amended by M. 3)
28-0

24. Drawe & Daniele
Intro. 35
Res. 28
28-0

25. Drawe & Daniele
Intro. 36
Res. 29
28-0

26. Drawe & Daniele
Intro. 37
Res. 30
28-0

27. Cassetti & Daniele
Intro. 38
Res. 31
28-0

28. Cassetti & Daniele
Intro. 39
Res. 32
28-0

29. Colby & Daniele
Intro. 40
Res. 33

10-0029 Accepting Grant From Society For The Protection And Care Of Children, Inc. For Monroe County Nurse-Family Partnership Program; Authorizing Contract With Visiting Nurse Service, Inc.

10-0030 Accepting Grant From New York State Department Of Health For Capacity Building For Public Health Partners Program; Authorizing Contract With University Of Rochester

10-0031 Amending Resolution 317 Of 2009 To Accept Additional Funding From New York State Office Of Temporary And Disability Assistance For 2009-2010 Home Energy Assistance Program

10-0032 Authorizing Contract With Clean Harbors Environmental Services, Inc. For Disposal And Consultant Services Relative To Operation Of Monroe County Household Hazardous Waste Collection And Transfer Program

10-0034 Authorizing Acquisition Of Interests In Real Property By Irondequoit Bay South Central Pure Waters District For The Culver Goodman Monitoring System Upgrades Project In Town Of Irondequoit

10-0036 Authorizing Advertisement For Bids North Greece Road Bridge At Northrup Creek In Town Of Greece
30. Colby & Daniele Intro. 41 Res. 34 28-0 10-0037 br. Resolution Authoring The Issuance Of $410,000 Bonds Of The County Of Monroe, New York, To Finance The Cost Of The Reconstruction And Improvement Of Portions Of Dorsey Road From Mt. Read Boulevard To Dewey Avenue, In And For Said County, And Superseding The Bond Resolution Adopted On December 9, 2008 (Resolution No. 351 Of 2008) Transportation Committee; January 27, 2010 – CV: 9-0 Ways and Means Committee; January 27, 2010 – CV: 10-0


32. Daniele & Yolevich Intro. 43 Res. 36 28-0 10-0039 Authorizing Sale Of County Owned Tax Foreclosure Property In Town Of Irondequoit Ways and Means Committee; January 27, 2010 – CV: 10-0

33. Daniele & Yolevich Intro. 44 Res. 37 28-0 10-0040 Authorizing Sale Of Two County Owned Tax Foreclosure Properties In Town Of Riga Ways and Means Committee; January 27, 2010 – CV: 10-0

34. Daniele & Yolevich Intro. 45 Res. 38 28-0 10-0041 Directing The Refund Of Certain Monroe County Taxes Levied and Collected Against Property In Town Of Greece Ways and Means Committee; January 27, 2010 – CV: 10-0

35. Hanna & Daniele Intro. 46 Res. 39 28-0 10-0042 Accepting Grant From New York State Governor’s Traffic Safety Committee For Selective Traffic Enforcement Program Public Safety Committee; January 25, 2010 – CV: 8-0 Ways and Means Committee; January 27, 2010 – CV: 10-0

36. Daniele & Yolevich Intro. 47 Res. 40 28-0 10-0043 Accepting Grant From New York State Board Of Elections For Voting Access For Individuals With Disabilities Polling Place Access Improvement Ways and Means Committee; January 27, 2010 – CV: 10-0

37. Yolevich & Howland Intro. 48 Res. 41 28-0 10-0044 Designating Official Newspapers For County of Monroe For 2010 Agenda/Charter Committee; January 25, 2010– CV: 10-0

UNFINISHED BUSINESS
Upon Motion by Legislator E. Daniel Quatro, the Legislature adjourned at 7:11 P.M. until Tuesday, March 9, 2010 at 6:00 p.m.

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CHERYL M. ROZZI
Clerk of the Legislature