FIFTH DAY

TUESDAY, APRIL 13, 2010

Legislature met pursuant to adjournment.

President Jeffrey R. Adair in the Chair.

ROLL CALL


Absent — Kaleh – 1

Note: President Adair congratulated Legislator Vincent J. Esposito on the birth of his daughter.

Meeting formally opened. At the invitation of Legislator Willie J. Lightfoot, Pastor David C. Rourk of the Adams Street Church of God by Faith, delivered the invocation. The Pledge of Allegiance to the Flag was led by Legislator Edward M. O’Brien.

IN MEMORIAM

58. Quatro & 10-0140 Expressing Regret of the Monroe County Legislature on the Recent Passing of Giacomo Perna
    Intro. 68
    Res. 61
    28-0

59. Quatro & 10-0141 Expressing Regret Of The Monroe County Legislature On The Recent Passing Of Peter J. McDonough
    Intro. 69
    Res. 62
    28-0

APPROVAL OF MINUTES

Without objection, the journal of the session of Day 4 of 2010, March 9, 2010 was approved as submitted.

PETITIONS AND COMMUNICATIONS

PROCLAMATIONS

By the President of the Legislature — Jeffrey R. Adair

Recognized Jointly with Legislator John J. Howland “The Rush-Henrietta Boys Basketball Team” on clinching the Section V Class AA1 Basketball Championship.
Read and Filed
Recognized Jointly with Legislator Robert J. Colby “Ronald Belczak” in recognition of his contributions to the Churchville Bicentennial Celebration.
Read and Filed.

Recognized Jointly with Legislators Michael G. Barker and Ciaran T. Hanna “Dhruv Tyagi” on winning his second consecutive State Diving Championship.
Read and Filed.

Read and Filed

Recognized Jointly with Legislators Rick Antelli, Jeffery L. McCann, Mark J. Cassetti and Richard Beebe “Bill Joyce” for the outstanding service he has provided Monroe County for thirty-nine years.
Read and Filed.

Read and Filed.

Read and Filed

Recognized Jointly with Legislator Carrie M. Andrews “East High School Varsity Boys Basketball Team” for their successful season and winning the Western Regional Class AA Championship.
Read and Filed

FORMAL COMMITTEE REPORTS

NONE

PUBLIC FORUM

An Open Forum was conducted to allow speakers to address the Legislature. Nine speakers addressed the Legislature on various subjects and the Open Forum concluded at 7:05 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 April 13, 2010 and proceeded under the Usual Order of Business.

MOTIONS, RESOLUTIONS AND NOTICES

1. Howland & Daniele
   Intro. 70
   Res. 63
   22-6
   10-0075 Approving The Issuance Of Certain Bonds By The County Of Monroe Industrial Development Agency And Pledging Non-Interference With The Rights Of The Holders Of The Bonds
   Planning and Economic Development Committee; March 22, 2010 – CV: 4-1
   Ways and Means Committee; March 24, 2010 – CV: 7-0
   (Legislators Eckel, Gamble, Haney, Lee, Lightfoot, and Maneiro voted in the negative)

2. Howland & Daniele
   Intro. 71
   Res. 64
   28-0
   10-0076 Accepting Grant From County Of Monroe Industrial Development Agency
   Planning and Economic Development Committee; March 22, 2010 – CV: 5-0
   Ways and Means Committee; March 24, 2010 – CV: 7-0

3. Howland & Daniele
   Intro. 72
   Res. 65
   28-0
   10-0077 Accepting Grant From Monroe County Industrial Development Corporation
   Planning and Economic Development Committee; March 22, 2010 – CV: 5-0
   Ways and Means Committee; March 24, 2010 – CV: 7-0

4. Howland & Daniele
   Intro. 73
   Res. 66
   28-0
   10-0078 Authorizing Contract With Greater Rochester Enterprise, Inc. For General Operating Expenses
   Planning and Economic Development Committee; March 22, 2010 – CV: 5-0
   Ways and Means Committee; March 24, 2010 – CV: 7-0

5. Hanna & Daniele
   Intro. 74
   Res. 67
   28-0
   10-0079 Accepting Grant From United States Bureau Of Alcohol, Tobacco, Firearms And Explosives For ATF-Monroe County Sheriff’s Office Explosives Task Force
   Public Safety Committee; March 22, 2010 – CV: 7-0
   Ways and Means Committee; March 24, 2010 – CV: 7-0

6. Hanna & Daniele
   Intro. 75
   Res. 68
   28-0
   10-0080 Accepting Grant From New York State Division Of Criminal Justice Services For 2009 Paul Coverdell Forensic Sciences Improvement Program (Public Safety Lab)
   Public Safety Committee; March 22, 2010 – CV: 7-0
   Ways and Means Committee; March 24, 2010 – CV: 7-0

7. Hanna & Daniele
   Intro. 76
   Res. 69
   28-0
   10-0081 Authorizing Contract With Legal Aid Society Of Rochester For Legal Representation Services In Family Law And Domestic Violence
   Public Safety Committee; March 22, 2010 – CV: 7-0
   Ways and Means Committee; March 24, 2010 – CV: 7-0

8. Hanna & Daniele
   Intro. 77
   Res. 70
   28-0
   10-0082 Accepting Grant From New York State Emergency Management Office For Citizen Corps Grant Program; Authorizing Contract With Monroe Community College
   Public Safety Committee; March 22, 2010 – CV: 7-0
   Ways and Means Committee; March 24, 2010 – CV: 7-0
9. Hanna, Antelli & Daniele
   Intro. 78 Res. 71 28-0
   10-0083 Amending 2010-2015 Capital Improvement Program And 2010 Capital Budget To Increase
   Financing For Public Safety Integrated Records Management System; Authorizing Contract
   With Tiburon, Inc. And Intermunicipal Agreements With Monroe County Responder
   Agencies For Public Safety Integrated Records Management System
   Public Safety Committee; March 22, 2010 – CV: 7-0
   Intergovernmental Relations Committee; March 23, 2010 – CV: 5-0
   Ways and Means Committee; March 24, 2010 – CV: 7-0

10. Hanna, Antelli & Daniele
    Intro. 79 Res. 72 28-0
    10-0083. Resolution Authorizing The Issuance Of $10,000,000 Bonds Of The County Of Monroe,
    New York, To Finance The $10,000,000 Estimated Maximum Cost Of The Purchase And
    Installation Of Public Safety Integrated Management Information Systems That Interface
    With The Computer Aided Dispatch System At 9-1-1, In And For Said County, And
    Superseding The Bond Resolution Adopted On December 8, 2009 (Resolution 349 Of 2009)
    Public Safety Committee; March 22, 2010 – CV: 7-0
    Intergovernmental Relations Committee; March 23, 2010 – CV: 5-0
    Ways and Means Committee; March 24, 2010 – CV: 7-0

11. Valerio & Daniele
    Intro. 80 Res. 73 28-0
    10-0084 Authorizing Contracts With Crosby-Brownlie, Inc., East Coast Electric, LLC And Cogenic,
    LLC For Construction Services For Seneca Park Zoo Rocky Coast Exhibit Animal Life
    Support System Improvements
    Recreation and Education Committee; March 23, 2010 – CV: 5-0
    Ways and Means Committee; March 24, 2010 – CV: 7-0

12. Valerio & Daniele
    Intro. 81 Res. 74 28-0
    10-0084. Resolution Authorizing The Issuance Of $2,600,000 Bonds Of The County Of Monroe, New
    York, To Finance The $2,600,000 Estimated Maximum Cost Of Improvements To The
    Animal Life Support Systems For The Rocky Coast Exhibit At The Seneca Park Zoo, In And
    For Said County, And Superseding The Bond Resolution Adopted On December 9, 2008
    (Resolution No. 282 Of 2008)
    Recreation and Education Committee; March 23, 2010 – CV: 5-0
    Ways and Means Committee; March 24, 2010 – CV: 7-0

13. Hanna, Antelli, Colby & Daniele
    Intro. 82 Res. 75 28-0
    10-0085 Authorizing Advertisement For Bids; Authorizing Intermunicipal Agreements For
    Reimbursement From Monroe County Water Authority For Water Main Installation And
    Town Of Perinton For Sanitary Sewer Installation; Reimbursing Fairport Municipal
    Commission For Utility Pole Relocations, In Conjunction With Jefferson Avenue Project In
    Town Of Perinton
    Intergovernmental Relations Committee; March 23, 2010 – CV: 5-0
    Transportation Committee; March 24, 2010 – CV: 9-0
    Ways and Means Committee; March 24, 2010 – CV: 7-0

14. Antelli & Daniele
    Intro. 83 Res. 76 28-0
    10-0086 Authorizing Intermunicipal Agreements With Various Counties For Providing Security
    Services At Rochester Psychiatric Center Forensic Unit For Patient Inmates Of Those
    Counties
    Intergovernmental Relations Committee; March 23, 2010 – CV: 5-0
    Ways and Means Committee; March 24, 2010 – CV: 7-0

15. Antelli & Daniele
    Intro. 84 Res. 77 28-0
    10-0087 Authorizing Intermunicipal Agreement With City Of Rochester To Provide Photo Processing
    For Monroe County Sheriff’s Office
    Intergovernmental Relations Committee; March 23, 2010 – CV: 5-0
    Ways and Means Committee; March 24, 2010 – CV: 7-0
16. Drawe & 10-0088 Accepting Grant From New York State Office Of Children And Family Services For Disproportionate Minority Representation Project
Daniele
Intro. 85 Human Services Committee; March 23, 2010 – CV: 6-0
Res. 78 Ways and Means Committee; March 24, 2010 – CV: 7-0
28-0

17. Drawe & 10-0089 Authorizing Contract With Catholic Diocese Of Rochester To Provide Religious Services For Residents Of Monroe Community Hospital
Daniele
Intro. 86 Human Services Committee; March 23, 2010 – CV: 6-0
Res. 79 Ways and Means Committee; March 24, 2010 – CV: 7-0
28-0

18. Drawe & 10-0090 Accepting Grant From Mercy Residential Services For Project To Reunite Families
Daniele
Intro. 87 Human Services Committee; March 23, 2010 – CV: 6-0
Res. 80 Ways and Means Committee; March 24, 2010 – CV: 7-0
28-0

19. Drawe & 10-0091 Accepting Grant From New York State Office Of Temporary And Disability Assistance For Intensive Case Services For Noncompliant Families Plan
Daniele
Intro. 88 Human Services Committee; March 23, 2010 – CV: 6-0
Res. 80 Ways and Means Committee; March 24, 2010 – CV: 7-0

Intro. 89 Drawe/Daniele
M. 4 Motion to Amend File No. 10-0091 to read:
28-0

Be It Moved, that Intro. No.88 of 2010, be amended as follows:

Section 1.  The County Executive, or her designee, is hereby authorized to accept a $187,975 $552,379 grant from, and to execute a contract and any amendments thereto with, the New York State Office of Temporary and Disability Assistance, for the Intensive Case Services for Noncompliant Families Plan, for the period of January 1, 2010 through December 31, 2010.

Section 2.  The 2010 operating grant budget of the Department of Public Health is hereby amended by appropriating the sum of $187,975 $552,379 into fund 9300, funds center 5118010000, Intensive Case Services.

File No. 10-0091

Added language is underlined
Deleted language is stricken

Intro. 88
Res. 81
28-0 (As Amended by M. 4)

20. Drawe & 10-0092 Amending Resolution 30 Of 2010 To Accept Additional Funding From New York State Office Of Temporary And Disability Assistance For 2009-2010 Home Energy Assistance Program
Daniele
Intro. 90 Human Services Committee; March 23, 2010 – CV: 6-0
Res. 82 Ways and Means Committee; March 24, 2010 – CV: 7-0
28-0
21. Drawe & Daniele
Intro. 91
Res. 83
Accepting Grant From New York State Department Of Health For Immunization, And Vaccines For Children; Authorizing Contract With University Of Rochester Human Services Committee; March 23, 2010 – CV: 6-0
Ways and Means Committee; March 24, 2010 – CV: 7-0

22. Drawe & Daniele
Intro. 92
Res. 84
Accepting Grant From National Association Of County And City Health Officials For Medical Reserve Corps Capacity Building Program Human Services Committee; March 23, 2010 – CV: 6-0
Ways and Means Committee; March 24, 2010 – CV: 7-0

23. Yolevich, Drawe & Daniele
Intro. 93
Res. 85
Accepting Grant From Finger Lakes Association, Inc. For Water Quality Program; Authorizing Contracts With Rochester Museum And Science Center And Monroe County Soil And Water Conservation District Human Services Committee; March 23, 2010 – CV: 6-0
Ways and Means Committee; March 24, 2010 – CV: 7-0

24. Drawe & Daniele
Intro. 94
Res. 86
Authorizing Contracts For Special Children’s Services (Early Intervention And Preschool Special Education)
Human Services Committee; March 23, 2010 – CV: 6-0
Ways and Means Committee; March 24, 2010 – CV: 7-0

(Legislator Haney left the chambers and was not present for the vote)

25. Cassetti & Daniele
Intro. 95
Res. 87
Authorizing Contract With Labella Associates, P.C. For Professional Services For Monroe County Jail Infrastructure Improvements Project
Environment and Public Works Committee; March 24, 2010 – CV: 6-0
Ways and Means Committee; March 24, 2010 – CV: 7-0

26. Cassetti & Daniele
Intro. 96
Approving Increase And Improvement Of Facilities In Rochester Pure Waters District – Frank E. VanLare Electrical System Improvements
Environment and Public Works Committee; March 24, 2010 – CV: 6-0
Ways and Means Committee; March 24, 2010 – CV: 7-0
(For Introductory Purposes Only)

27. Cassetti & Daniele
Intro. 97
M. 5
Providing That Resolution (Intro No. _____ Of 2010), Entitled “Approving Increase And Improvement Of Facilities In Rochester Pure Waters District – Frank E. VanLare Electrical System Improvements,” Be Tabled

28. Cassetti & Daniele
Intro. 98
Res. 88
Calling A Public Hearing For The Purpose Of Considering A Proposed Increase And Improvement Of Facilities In The Rochester Pure Waters District – Frank E. VanLare Electrical System Improvements
(Public Hearing is scheduled for Tuesday, May 11, 2010 at 6:15 P.M.)

29. Cassetti & Daniele
Intro. 99
Approving Increase And Improvement Of Facilities In Rochester Pure Waters District – Frank E. VanLare Aeration System Improvements
Environment and Public Works Committee; March 24, 2010 – CV: 6-0
Ways and Means Committee; March 24, 2010 – CV: 7-0
(For Introductory Purposes Only)
30. Cassetti & Daniele
   Intro. 100
   M. 6
   27-0
   Providing That Resolution (Intro No. _____ Of 2010), Entitled “Approving Increase And Improvement Of Facilities In Rochester Pure Waters District – Frank E. VanLare Aeration System Improvements,” Be Tabled

31. Cassetti & Daniele
   Intro. 101
   Res. 89
   27-0
   Calling A Public Hearing For The Purpose Of Considering A Proposed Increase And Improvement Of Facilities In The Rochester Pure Waters District – Frank E. VanLare Aeration System Improvements
   (Public Hearing is scheduled for Tuesday, May 11, 2010 at 6:16 P.M.)

32. Cassetti & Daniele
   Intro. 102
   Approving Increase And Improvement Of Facilities In Irondequoit Bay South Central Pure Waters District – Brighton 5 Pump Station Improvements
   Environment and Public Works Committee; March 24, 2010 – CV: 6-0
   Ways and Means Committee; March 24, 2010 – CV: 7-0
   (For Introductory Purposes Only)

33. Cassetti & Daniele
   Intro. 103
   M. 7
   27-0
   Providing That Resolution (Intro No. _____ Of 2010), Entitled “Approving Increase And Improvement Of Facilities In Irondequoit Bay South Central Pure Waters District — Brighton 5 Pump Station Improvements,” Be Tabled

34. Cassetti & Daniele
   Intro. 104
   Res. 90
   27-0
   Calling A Public Hearing For The Purpose Of Considering A Proposed Increase And Improvement Of Facilities In Irondequoit Bay South Central Pure Waters District – Brighton 5 Pump Station Improvements
   (Public Hearing is scheduled for Tuesday, May 11, 2010 at 6:17 P.M.)

35. Cassetti & Daniele
   Intro. 105
   Approving Increase And Improvement Of Facilities In Irondequoit Bay South Central Pure Waters District – General Pump Station And Interceptor Improvements
   Environment and Public Works Committee; March 24, 2010 – CV: 6-0
   Ways and Means Committee; March 24, 2010 – CV: 7-0
   (For Introductory Purposes Only)

(Legislator Haney returned to the chambers and was present for the remainder of the meeting)

36. Cassetti & Daniele
   Intro. 106
   M. 8
   28-0
   Providing That Resolution (Intro No. _____ Of 2010), Entitled “Approving Increase And Improvement Of Facilities In Irondequoit Bay South Central Pure Waters District – General Pump Station And Interceptor Improvements,” Be Tabled

37. Cassetti & Daniele
   Intro. 107
   Res. 91
   28-0
   Calling a Public Hearing For The Purpose Of Considering A Proposed Increase And Improvement Of Facilities In Irondequoit Bay South Central Pure Waters District – General Pump Station And Interceptor Improvements
   (Public Hearing is scheduled for Tuesday, May 11, 2010 at 6:18 P.M.)

38. Cassetti & Daniele
   Intro. 108
   Approving Increase And Improvement Of Facilities In Northwest Quadrant Pure Waters District – Northwest Quadrant Secondary Clarifier Improvements
   Environment and Public Works Committee; March 24, 2010 – CV: 6-0
   Ways and Means Committee; March 24, 2010 – CV: 7-0
   (For Introductory Purposes Only)
39. **Cassetti & Daniele**
   **Intro. 109**
   **M. 9**
   **28-0**
   Providing That Resolution (Intro No. _____ Of 2010), Entitled “Approving Increase And Improvement of Facilities In Northwest Quadrant Pure Waters District – Northwest Quadrant Secondary Clarifier Improvements,” Be Tabled

40. **Cassetti & Daniele**
   **Intro. 110**
   **Res. 92**
   **28-0**
   Calling A Public Hearing For The Purpose Of Considering A Proposed Increase And Improvement Of Facilities In Northwest Quadrant Pure Waters District – Northwest Quadrant Secondary Clarifier Improvements
   *(Public Hearing is scheduled for Tuesday, May 11, 2010 at 6:19 P.M.)*

41. **Cassetti & Daniele**
   **Intro. 111**
   **Res. 93**
   **28-0**
   Approving Increase And Improvement of Facilities In Gates-Chili-Ogden Sewer District – Trolley Pump Station Improvements
   *Environment and Public Works Committee; March 24, 2010 – CV: 6-0*
   *Ways and Means Committee; March 24, 2010 – CV: 7-0*
   *(For Introductory Purposes Only)*

42. **Cassetti & Daniele**
   **Intro. 112**
   **M. 10**
   **28-0**
   Providing That Resolution (Intro No. _____ Of 2010), Entitled “Approving Increase And Improvement of Facilities In Gates-Chili-Ogden Sewer District – Trolley Pump Station Improvements,” Be Tabled

43. **Cassetti & Daniele**
   **Intro. 113**
   **Res. 94**
   **28-0**
   Calling A Public Hearing For The Purpose Of Considering A Proposed Increase And Improvement Of Facilities In Gates-Chili-Ogden Sewer District – Trolley Pump Station Improvements
   *(Public Hearing is scheduled for Tuesday, May 11, 2010 at 6:20 P.M.)*

44. **Cassetti & Daniele**
   **Intro. 114**
   **Res. 95**
   **28-0**
   Approving Increase And Improvement Of Facilities In Gates-Chili-Ogden Sewer District – General Collection System Improvements
   *Environment and Public Works Committee; March 24, 2010 – CV: 6-0*
   *Ways and Means Committee; March 24, 2010 – CV: 7-0*
   *(For Introductory Purposes Only)*

45. **Cassetti & Daniele**
   **Intro. 115**
   **M. 11**
   **28-0**
   Providing That Resolution (Intro No. _____ Of 2010), Entitled “Approving Increase And Improvement Of Facilities In Gates-Chili-Ogden Sewer District – General Collection System Improvements,” Be Tabled

46. **Cassetti & Daniele**
   **Intro. 116**
   **Res. 96**
   **28-0**
   Calling A Public Hearing For The Purpose Of Considering A Proposed Increase And Improvement Of Facilities In Gates-Chili-Ogden Sewer District – General Collection System Improvements
   *(Public Hearing is scheduled for Tuesday, May 11, 2010 at 6:21 P.M.)*

47. **Cassetti & Daniele**
   **Intro. 117**
   **Res. 97**
   **28-0**
   Authorize A Contract With Fluent Energy For The Provision Of Energy Management Services
   *Environment And Public Works Committee; March 24, 2010 – CV: 6-0*
   *Ways and Means Committee; March 24, 2010 – CV: 7-0*
48. Cassetti & Daniele
   Intro. 118
   Res. 96
   28-0
   Authorizing Application To New York State Department Of State Local Government Efficiency Grant Program For Efficiency Implementation Grant For Scottsville Regional Sanitary Sewage Pump Station And Force Main Project
   Environment and Public Works Committee; March 24, 2010 – CV: 6-0
   Ways and Means Committee; March 24, 2010 – CV: 7-0

49. Daniele & Yolevich
   Intro. 119
   Res. 97
   28-0
   Authorizing Settlement Of Lawsuit Entitled, “Earl Prevost V. Madeline M. Herbert, Et Al.”
   Ways and Means Committee; March 24, 2010 – CV: 7-0

50. Daniele & Yolevich
   Intro. 120
   Res. 98
   28-0
   Authorizing In Rem Tax Foreclosure Action No. 138
   Ways and Means Committee; March 24, 2010 – CV: 7-0

51. Daniele & Yolevich
   Intro. 121
   Res. 99
   28-0
   Authorizing Contract With LSI Consulting, Inc. To Upgrade The Systems, Applications And Products System
   Ways and Means Committee; March 24, 2010 – CV: 7-0

52. Daniele & Yolevich
   Intro. 122
   Res. 100
   28-0
   Authorizing The Issuance Of Obligations By The Monroe County Industrial Development Corporation And Pledging Non-Interference With The Rights Of The Holders Of The Obligations
   Ways and Means Committee; March 24, 2010 – CV: 7-0

53. Daniele & Yolevich
   Intro. 123
   Res. 101
   28-0
   Directing Correction, Cancellation And Levy Of Certain Monroe County Taxes In City Of Rochester And Towns Of Brighton, Henrietta, Sweden And Webster
   Ways and Means Committee; March 24, 2010 – CV: 7-0

54. Gumina & Quatro
   Intro. 124
   Res. 102
   28-0
   Authorizing Contracts With C&S Engineers, Inc. For Engineering Services And New York State Department Of Transportation For Klem Road Bridge Over Mill Creek Tributary Project In Town Of Webster
   Transportation Committee; March 24, 2010 – CV: 9-0
   Ways and Means Committee; March 24, 2010 – CV: 7-0

55. Barker & Howland
   Intro. 125
   Res. 103
   28-0
   Appointment to Audit Committee

56. Daniele & Yolevich
   Intro. 126
   Res. 104
   28-0
   Directing Correction, Cancellation And Levy Of Certain Monroe County Taxes In City Of Rochester And Towns Of Chili, Mendon, Penfield And Pittsford
   Ways and Means Committee; March 24, 2010 – CV: 7-0* (As Amended)
57. Cassetti & Daniele
Intro. 127
Res. 105
28-0

10-0123 Authorizing Supplemental Grant Agreement #3 With New York State for Aid Relating To
Improvements At Greater Rochester International Airport
Environment And Public Works Committee; March 24, 2010 – CV: 6-0
Ways and Means Committee; March 24, 2010 – CV: 7-0

Note: President Adair acknowledged former Legislator John G. Driscoll

UNFINISHED BUSINESS

Intro. 128 Esposito/Eckel
M. 12 A Motion to Suspend the Rules
12-16 F (Bronson, Andrews, Beebe, Eckel, Esposito, Gamble, Haney, Heider, Lee, Lightfoot, Maneiro and
O’Brien voted in the positive)

Upon Motion by Legislator E. Daniel Quatro, the Legislature adjourned at 8:01 P.M. until Tuesday, May 11, 2010 at 6:00 p.m.

CHERYL M. ROZZI
Clerk of the Legislature