Legislature met pursuant to adjournment.

President Jeffrey R. Adair in the Chair.

ROLL CALL


Absent – Willie J. Lightfoot

Meeting formally opened. At the invitation of Legislator Carmen F. Gumina, Pastor Lee Carlson of the United Methodist Church of Webster delivered the invocation. The Pledge of Allegiance to the Flag was led by Legislator Anthony J. Daniele.

APPROVAL OF MINUTES

Without objection, the journals of the sessions of Day 4 April 12, 2011 and Day 5, Special Meeting, April 27, 2011 were approved as submitted.

PETITIONS AND COMMUNICATIONS

President Adair recognized and welcomed Fairport Boy Scout Troop 325 to the Chambers. President Adair also congratulated Legislator C. Stephen Eckel on the birth of his baby.

PROCLAMATIONS AND PRESENTATIONS

By the President of the Legislature — Jeffrey R. Adair

Proclaimed Jointly with County Executive Maggie Brooks, President Jeffrey R. Adair and Legislator E. Daniel Quatro, “Dr. Andrew S. Doniger” on being chosen as the 2011 Edward Mott Moore award recipient by the Monroe County Medical Society.

Recognized Jointly with Legislators John J. Howland and Anthony J. Daniele, “Laurie Cappadonia” on being named the Basic Life Support Provider of the Year by the Monroe-Livingston Regional Emergency Medical Services Council.

Recognized Jointly with Legislator Glenn J. Gamble “Jack’s Fish Market” for over 55 years of dedicated service as a small business owner in the City of Rochester.

Recognized Jointly with Legislator Travis R. Heider “Monro Litho” for their dedication to sustainable business practices.

Read and Filed.

RECESS

President Adair recessed the meeting to allow for three Public Hearings entitled…

“Authorizing Increase and Improvement of Facilities in Rochester Pure Waters District-Frank E. VanLare Electrical System Improvements” No speakers addressed the Legislature and the hearing concluded at 6:31 P.M.

“Authorizing Increase and Improvement of Facilities in Rochester Pure Waters District – Frank E. VanLare Aeration System Improvements” No speakers addressed the Legislature and the hearing concluded at 6:31 P.M.

“Authorizing Increase and Improvement of Facilities in Rochester Pure Waters District – Frank E. VanLare Primary Tank Improvements” No speakers addressed the Legislature and the hearing concluded at 6:31 P.M.

“Authorizing Increase and Improvement of Facilities in the Irondequoit Bay South Central Pure Waters District – General Pump Station and Interceptor Improvements” No speakers addressed the Legislature and the hearing concluded at 6:32 P.M.

“Authorizing Increase and Improvement of Facilities in the Irondequoit Bay South Central Pure Waters District – Pinnacle Road Pump Station Improvements” No speakers addressed the Legislature and the hearing concluded at 6:32 P.M.

“Authorizing Increase and Improvement of Facilities in Northwest Quadrant Pure Waters District – General Pump Station and Interceptor Improvements” No speakers addressed the Legislature and the hearing concluded at 6:32 P.M.

“Authorizing Increase and Improvement of Facilities in Gates-Chili-Ogden Sewer District – General Collection System Improvements” No speakers addressed the Legislature and the hearing concluded at 6:32 P.M.

“Amending Monroe County Charter and Administrative Code Relating to Legislative District Boundaries and Term of Office of Members of County Legislature” Three speakers addressed the Legislature and the hearing concluded at 6:40 P.M.

RECONVENING LEGISLATURE

President Adair reconvened the recessed meeting of May 10, 2011 and proceeded under the Usual Order of Business.

FORMAL COMMITTEE REPORTS

President Adair introduced the Plant of the Month, Lilacs, in honor of the upcoming Lilac Festival.

PUBLIC FORUM

An Open Forum was conducted to allow speakers to address the Legislature. Four speakers addressed the Legislature and the Open Forum concluded at 6:42 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 May 10, 2011 and proceeded under the Usual Order of Business.

CONSIDERATION OF LOCAL LAWS

1. Yolevich & Howland
   Intro. 163
   11-0100LL Local Law Entitled “Amending the Monroe County Charter Regarding Legislative Work Program Reform”
   Agenda Charter Committee, April 25, 2011, CV – 3-2
   (For Introductory Purposes Only)

2. Yolevich & Howland
   Intro. 164
   M. 31
   28-0
   11-0100LL Providing that Local Law (No. 163 of 2011) Entitled “Amending the Monroe County Charter Regarding Legislative Work Program Reform,” Be Tabled

3. Yolevich & Howland
   Intro. 165
   Res. 123
   28-0
   11-0100LL Fixing a Public Hearing on Local Law (Intro. No. 163 of 2011) Entitled “Amending the Monroe County Charter Regarding Legislative Work Program Reform”
   (Public Hearing is Scheduled for Tuesday, June 14, 2011, at 6:15pm)

4. Yolevich & Howland
   Intro. 166
   11-0106LL Local Law Entitled “Restricting Disruptive Protesting Activities at Funeral Related Events”
   Agenda Charter Committee, April 25, 2011, CV – 5-0
   (For Introductory Purposes Only)

5. Yolevich & Howland
   Intro. 167
   M. 32
   28-0
   11-0106LL Providing that Local Law (No. 166 of 2011) Entitled “Restricting Disruptive Protesting Activities at Funeral Related Events,” Be Tabled

6. Yolevich & Howland
   Intro. 168
   Res. 124
   28-0
   11-0106LL Fixing a Public Hearing on Local Law (No. 166 of 2011), Entitled “Restricting Disruptive Protesting Activities at Funeral Related Events”
   (Public Hearing is Scheduled for Tuesday, June 14, 2011, at 6:16pm)

CONSIDERATION OF MOTIONS, RESOLUTIONS AND NOTICES

7. Cassetti & Daniele
   Intro. 169
   M. 33
   28-0
   11-0073 Providing that Resolution (Intro No. 124 of 2011), Entitled “Approving Increase and Improvement of Facilities in Rochester Pure Waters District – Frank E. VanLare Electrical System Improvements,” Be Lifted from the Table
8. Cassetti & Daniele
   Intro. 170
   M. 34

   Haey/Kaleh
   A Motion to Amend Intro. 170 to read as follows:

   **Section 1.** To insert a new section five to read as follows:

   “Section 5. The $1,000,000 of net asset balance in the Rochester Pure Waters District is hereby appropriated and authorize the Controller to transfer the $1,000,000 to capital fund 1553 for the increase and improvement of facilities in the Rochester Pure Waters District,”

   Intro. 170
   M. 34
   28-0

9. Cassetti & Daniele
   Intro. 172
   Res. 126
   22-6

   Resolution Authorizing the Issuance of $2,000,000 Bonds of the County of Monroe, New York, to Finance the Cost of the Improvements to the Electrical System at the Frank E. Vanlare Waste Water Treatment Plant Of the Rochester Pure Waters District In and for Said County, and Superseding the Bond Resolution Adopted on May 11, 2010 (Resolution No. 107 of 2010)

   (Legislators Eckel, Gamble, Haney Kaleb, Lee and Maneiro voted in the negative)

10. Cassetti & Daniele
    Intro. 173
    M. 36
    28-0

    Providing that Resolution (Intro No. 127 of 2011), Entitled “Approving Increase and Improvement of Facilities in Rochester Pure Waters District – Frank E. VanLare Aeration System Improvements,” Be Lifted from the Table

11. Cassetti & Daniele
    Intro. 174
    M. 37
    28-0

    Providing that Resolution (Intro No. 127 of 2011), Entitled “Approving Increase and Improvement of Facilities in Rochester Pure Waters District – Frank E. VanLare Aeration System Improvements,” Be Adopted

12. Cassetti & Daniele
    Intro. 175
    Res. 128
    28-0

    Resolution Authorizing the Issuance of $7,000,000 Bonds of the County of Monroe, New York, to Finance the Cost of the Replacement of the Aeration System of the Frank E. Vanlare Waste Water Treatment Plant in the Rochester Pure Waters District, In and for Said County, at an Estimated Maximum Cost of $7,000,000 and Superseding the Bond Resolution Adopted on May 11, 2010 (Resolution No. 109 of 2010)

13. Cassetti & Daniele
    Intro. 176
    M. 38
    28-0

    Providing that Resolution (Intro. No. 130 of 2011), Entitled “Approving Increase and Improvement Facilities in Rochester Pure Waters District – Frank E. VanLare Primary Tank Improvements,” Be Lifted from the Table
14. Cassetti & Daniele
Intro. 177
M. 39
28-0

11-0077 Providing that Resolution (Intro. No. 130 of 2011), Entitled “Approving Increase and Improvement Facilities in Rochester Pure Waters District – Frank E. VanLare Primary Tank Improvements,” Be Adopted

Intro. 130
Res. 129
28-0

15. Cassetti & Daniele
Intro. 178
Res. 130
28-0

11-0077br Resolution Authorizing the Issuance of $2,000,000 Bonds of the County of Monroe, New York, to Finance the Cost of Improvements to Primary Tanks of the Rochester Pure Water District Frank E. Vanlare Waste Water Treatment Plant, In and for Said County, at an Estimated Maximum Cost of $2,000,000

16. Cassetti & Daniele
Intro. 179
M. 40
28-0

11-0079 Providing that Resolution (Intro. No. 133 of 2011), Entitled “Approving Increase and Improvement of Facilities in Irondequoit Bay South Central Pure Waters District – General Pump Station and Interceptor Improvements,” Be Lifted from the Table

Intro. 133
Res. 131
28-0

17. Cassetti & Daniele
Intro. 180
M. 41
28-0

11-0079 Providing that Resolution (Intro. No. 133 of 2011), Entitled “Approving Increase and Improvement of Facilities in Irondequoit Bay South Central Pure Waters District – General Pump Station and Interceptor Improvements,” Be Adopted

Intro. 133
Res. 131
28-0

18. Cassetti & Daniele
Intro. 181
Res. 132
28-0

11-0079br Resolution Authorizing the Issuance of $1,000,000 Bonds of the County of Monroe, New York, to Finance the Cost of the Improvement of the Facilities of the Irondequoit Bay South Central Pure Waters District, Consisting of General Pump Station and Interceptor Improvements, In and for Said County, and Superseding the Bond Resolution Adopted on May 11, 2010 (Resolution No. 113 of 2010)

19. Cassetti & Daniele
Intro. 182
M. 42
28-0

11-0081 Providing that Resolution (Intro. No. 136 of 2011), Entitled “Approving Increase and Improvement of Facilities in Irondequoit Bay South Central Pure Waters District – Pinnacle Road Pump Station Improvements,” Be Lifted from the Table

Intro. 136
Res. 133
28-0

20. Cassetti & Daniele
Intro. 183
M. 43
28-0

11-0081 Providing that Resolution (Intro. No. 136 of 2011), Entitled “Approving Increase and Improvement of Facilities in Irondequoit Bay South Central Pure Waters District – Pinnacle Road Pump Station Improvements,” Be Adopted

Intro. 136
Res. 133
28-0

21. Cassetti & Daniele
Intro. 184
Res. 134
28-0

11-0081br Resolution Authorizing the Issuance of $1,000,000 Bonds of the County of Monroe, New York, to Finance the Cost of the Improvements to the Facilities of the Irondequoit Bay South Central Pure Waters District, Including Improvements to the District’s Pinnacle Road Pump Station, In and for Said County
22. Cassetti & Daniele
   Intro. 185 M. 44
   28-0

23. Cassetti & Daniele
   Intro. 186 M. 45
   28-0

24. Cassetti & Daniele
   Intro. 187 Res.136
   28-0

25. Cassetti & Daniele
   Intro. 188 M. 46
   28-0

26. Cassetti & Daniele
   Intro. 189 M. 47
   28-0

27. Cassetti & Daniele
   Intro. 190 Res.138
   28-0

28. Yolevich & Howland
   Intro. 191
   Intro. 192 M. 48
   28-0

29. Yolevich & Howland
   Intro. 193 Res. 139
   28-0

11-0083 Providing that Resolution (Intro. No. 139 of 2011), Entitled “Approving Increase and Improvement of Facilities in Northwest Quadrant Pure Waters District – General Pump Station and Interceptor Improvements,” Be Lifted from the Table

11-0083 Providing that Resolution (Intro. No. 139 of 2011), Entitled “Approving Increase and Improvement of Facilities in Northwest Quadrant Pure Waters District – General Pump Station and Interceptor Improvements,” Be Adopted

11-0083 Resolution Authorizing the Issuance of $500,000 Bonds of the County of Monroe, New York, to Finance the Cost of the Improvements to the Facilities of the Northwest Quadrant Pure Waters District, Including General Improvements to Various Pump Stations and Interceptors in the District, In and for Said County

11-0085 Providing that Resolution (Intro. No. 142 of 2011) Entitled “Approving Increase and Improvement Facilities in Gates-Chili-Ogden Sewer District – General Collection System Improvements,” Be Lifted from the Table

11-0085 Providing that Resolution (Intro. No. 142 of 2011) Entitled “Approving Increase and Improvement Facilities in Gates-Chili-Ogden Sewer District – General Collection System Improvements,” Be Adopted

11-0085 Resolution Authorizing the Issuance of $1,000,000 Bonds of the County of Monroe, New York, to Finance the Cost of the Improvement of Facilities of the Gates-Chili-Ogden Sewer District Consisting of General Collection System Improvements, In and for Said County, and Superseding the Bond Resolution Adopted on May 11, 2010 (Resolution No. 119 of 2010)

11-0099 Adopting 2011 Annual Work Program for the Monroe County Legislature Agenda Charter Committee, April 25, 2011, CV – 5-0

11-0101 Appointment to Cooperative Extension Association of Monroe County
30. Yolevich & Howland
   Intro. 194
   Res. 140
   28-0
   Appointment to Environmental Management Council

31. Howland & Daniele
   Intro. 195
   Res. 141
   28-0
   Authorizing Contract with Greater Rochester Enterprise for General Operating Expenses Planning and Economic Development, April 25, 2011, CV – 5-0
   Ways and Means Committee; April 27, 2011, CV – 11-0

32. Hanna & Daniele
   Intro. 196
   Res. 142
   28-0
   Accepting Grant from New York State Division of Homeland Security and Emergency Services, Office of Emergency Management, for Citizen Corps Grant Program; Authorizing Contract With Monroe Community College
   Public Safety Committee; April 25, 2011, CV – 5-0
   Ways and Means Committee; April 27, 2011, CV – 11-0

33. Valerio & Daniele
   Intro. 197
   Res. 143
   28-0
   Accepting Offer and Payment for Appropriation by State of New York of Property at Monroe Community College in Town of Brighton
   Recreation and Education Committee; April 26, 2011, CV – 4-0
   Ways and Means Committee; April 27, 2011, CV – 11-0

34. Valerio & Daniele
   Intro. 198
   Res. 144
   28-0
   Authorizing License Agreement with Lilac Festival, Inc. to Produce Lilac Festival in Highland Park
   Recreation and Education Committee; April 26, 2011, CV – 4-0
   Ways and Means Committee; April 27, 2011, CV – 11-0

35. Gumina & Valerio, Cassetti, Daniele
   Intro. 199
   Res. 145
   28-0
   Authorizing Contract with Passero Associates for Professional Engineering Services for Webster Park Master Plan Improvements Project
   Recreation and Education Committee; April 26, 2011, CV – 4-0
   Environment and Public Works Committee; April 27, 2011, CV – 7-0
   Ways and Means Committee; April 27, 2011, CV – 11-0

36. Drawe & Daniele
   Intro. 200
   Res. 146
   28-0
   Accepting Grant from National Association of County and City Health Officials for Medical Reserve Corps Capacity Building Program
   Human Services Committee; April 26, 2011, CV – 7-0
   Ways and Means Committee; April 27, 2011, CV – 11-0

37. Drawe & Daniele
   Intro. 201
   Res. 147
   28-0
   Accepting Grant from Health Research Incorporated for Beach Sanitary Survey Project
   Human Services Committee; April 26, 2011, CV – 6-0
   Ways and Means Committee; April 27, 2011, CV – 11-0

38. Drawe & Daniele
   Intro. 202
   Res. 148
   28-0
   Accepting Resolution 288 of 2010 to Accept Additional Funding from New York State Department of Health for Sexually Transmitted Disease in Jails Program
   Human Services Committee; April 26, 2011, CV – 6-0
   Ways and Means Committee; April 27, 2011, CV – 11-0

39. Drawe & Daniele
   Intro. 203
   Res. 149
   28-0
   Amending Resolution 288 of 2010 to Accept Funding from New York State Department of Health for Sexually Transmitted Disease Intervention Program
   Human Services Committee; April 26, 2011, CV – 6-0
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49. Colby & Daniele
Intro. 213
Res. 159
28-0
Authorizing Contracts with Popli Design Group for Engineering Services and New York State Department of Transportation for Edgewood Avenue Bridge at Allen Creek Project in Town of Brighton
Transportation Committee; April 27, 2011, CV – 9-0
Ways and Means Committee; April 27, 2011, CV – 11-0

50. Colby & Daniele
Intro. 214
Res. 160
28-0
Authorizing Contract for Engineering Services with Collins Engineers, P.C. for Salt Road Culvert at Fourmile Creek Tributary Project in Town of Webster
Transportation Committee; April 27, 2011, CV – 9-0
Ways and Means Committee; April 27, 2011, CV – 11-0

51. Daniele & Yolevich
Intro. 215
Res. 161
28-0
Directing Correction, Cancellation and Levy of Certain Monroe County Taxes in City of Rochester and Towns of Chili, Irondequoit and Webster
Ways and Means Committee; April 27, 2011, CV – 11-0

52. Daniele & Yolevich
Intro. 216
Res. 162
28-0
Directing the County Treasurer to Cause to be Published and Printed in the Rochester Democrat and Chronicle the List of Lands Charged with Unpaid Taxes, Pursuant to Chapter 441 of the Laws of 1938, as Amended
Ways and Means Committee; April 27, 2011, CV – 11-0

53. Yolevich & Howland
Intro. 217
Res. 163
28-0
Confirming Reappointment of Commissioner of Human Services
Agenda Charter Committee; April 25, 2011, CV – 5-0

54. Daniele & Yolevich
Intro. 218
Res. 164
28-0
Authorizing Settlement of Lawsuit Entitled “Vincent B. Betette, Jr., Individually and as the Administrator of the Estate of Vincent B. Betette, Sr. V. County of Monroe and Monroe Community Hospital”
Ways and Means Committee; April 27, 2011, CV – 11-0

55. Quatro & McCann
Intro. 219
M. 49
28-0
Providing that Local Law (Intro. No. 160 of 2011), Entitled “Amending Monroe County Charter and Administrative Code Relating to Legislative District Boundaries and Term of Office of Members of County Legislature,” Be Lifted from the Table

56. Quatro & McCann
Intro. 220
M. 50
Intro. 221
M. 51
12-16 F

Providing that Item #56 Referral #11-0131LL “Amending Monroe County Charter and Administrative Code Relating to Legislative District boundaries and Term of Office of Members of County Legislature,” BE SEVERED

Be it Moved that Item #56 Referral #11-0131LL be severed to remove the following into a separate main motion:

Section 5. Section C2-2 of the Monroe County Charter is hereby amended by adding a new Section C2-2D, to read as follows:
D. Term. The term of office of the members of the County Legislature shall begin on the first day of January next following their election. All Legislators shall be elected for a term of four years at the general election to be held in the year two thousand eleven (2011). Subject to the conditions set forth in Section C2-2A(3)(b) and (c), all Legislators shall be elected for a term of four years at the general election to be held in the year two thousand fifteen (2015), and all Legislators shall be elected for a term of two years at the general election to be held in the year two thousand nineteen (2019). Their term of office for all members of the County Legislature set forth in this Section C2-D, shall terminate on the thirty first day of December in the year two thousand twenty-one (2021), and thereafter, the term of office for all members of the County Legislature, beginning with the general election to be held in the year two thousand twenty-one (2021), shall be in accordance with the plan set forth in Section C2-2D.

Section 6. Section C2-2C(2)(c) is amended by deleting “this Section C2-2C” from the last line and inserting “Section C2-2D.”

(Legislators O’Brien, Andrews, Bauroth, Beebe, Eckel, Esposito, Gamble, Haney, Heider Kaleb, Lee and Maneiro voted in the positive)

Intro. 222 Andrews/Esposito
M. 52 Motion to Amend Intro. No.220 to read as follows:
12-16 F Be It Moved, that Agenda Item 56 be amended as follows:

Section 1. Section 5 of the Local Law shall be deleted and the following shall be inserted in its place:

Section 5. Section C2-2 of the Monroe County Charter is hereby amended by adding a new §C2-2D, to read as follows:

D. Term. The term of office of the members of the County Legislature shall begin on the first day of January next following their election. Subject to the conditions set forth in §C2-2A(3)(b) and (c), commencing with the general election to be held in the year 2011, County Legislators shall be elected to staggered terms of two and four years in accordance with the following plan:

1. The 29 County legislative districts shall be divided into two groups: Group 1 to consist of 15 legislative districts and Group 2 to consist of 14 legislative districts. The determination of which legislative districts shall be included in each of said groups shall be made by lot, the drawing for which shall be conducted by the County Election Commissioners in a manner to be determined by said Election Commissioners.

2. The terms of office of Legislators elected from the two groups of legislative districts shall be as follows:

(a) Group 1. The County Legislators elected from County legislative districts included in Group 1 shall be elected for a term of four years at the general election to be held in the year 2011, a term of four years at the general election to be held in the year 2015, and for a term of two years at the general election to be held in the year 2019.

(b) Group 2. County Legislators elected from County legislative districts included in Group 2 shall be elected for a term of two years at the general election to be held in the year 2011, a term of four years at the general election to be held in the year 2013, and for a term of four years at the general election to be held in the year 2017.
(c) The term of office for all members of the County Legislature set forth in this §C2-2(D) shall terminate on the 31st day of December in the year 2021, and thereafter, the term of office for all members of the County Legislature, beginning with the general election to be held in the year 2011, shall be in accordance with the plan set forth in this §C2-2(D).

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

(President Adair granted a brief recess at the request of Legislator Quatro)

Intro. 220 Be Adopted
M. 50
21-7

(Legislators Andrews, Beebe, Eckel, Esposito, Haney, Kaleh and Maneiro voted in the negative)

Intro. 160 Main Motion
Local Law TBA
21-7

(Legislators Andrews, Beebe, Eckel, Esposito, Haney, Kaleh and Maneiro voted in the negative)

Matter of Urgency

57. Drawe & Rockow
Intro. 223
Res. 165
28-0

11-0161 Confirming Nominations for Young Citizens of the Year and Willie Lightfoot Youth Advocate of the Year

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UNFINISHED BUSINESS

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Upon Motion by Legislator E. Daniel Quatro, the Legislature adjourned at 8:44 p.m. until Tuesday, June 14, 2011 at 6:00 p.m.

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CHERYL M. ROZZI
Clerk of the Legislature